

Agenda – Climate Change, Environment and Rural Affairs Committee

Meeting Venue:	For further information contact:
Video Conference via Zoom	Liz Wilkinson
Meeting date: 21 January 2021	Committee Clerk
Meeting time: 13.30	0300 200 6361
	SeneddCCERA@senedd.wales

Private pre-meeting (13.30–13.45)

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv.

Public meeting (13.45–16.00)

1 Introductions, apologies, substitutions and declarations of interest

(13.45)

2 Discussion with the Trade and Agriculture Commission

(13.45–14.45)

(Pages 1 – 6)

Tim Smith, Chair – Trade and Agriculture Commission

John Davies, President – National Farmers' Union (NFU) Cymru and member of the Trade and Agriculture Commission

Glyn Roberts, President – Farmers' Union Wales (FUW) and member of the Trade and Agriculture Commission



Attached Documents:

Research brief

Break (14.45–15.00)

3 Animal health and disease prevention – evidence session 1

(15.00–16.00)

(Pages 7 – 31)

Christianne Glossop, Chief Veterinary Officer – Welsh Government

Grace O’Gorman, Senior Technical Policy Manager – National Office of Animal Health (NOAH) Ltd

Ifan Lloyd, President – British Veterinary Association (BVA) Welsh Branch

Attached Documents:

Research brief

Paper – British Veterinary Association (BVA) Welsh Branch

Paper – National Office of Animal Health (NOAH) Ltd

4 Paper(s) to note

(16.00)

4.1 Correspondence from the Minister for Environment, Energy and Rural Affairs in relation to the Supplementary Legislative Consent Memorandum for the UK Environment Bill.

(Pages 32 – 34)

Attached Documents:

Letter

4.2 Correspondence between the Chair and Natural Resources Wales in relation to salmon and migratory trout net fishing licence duties 2021–2023

(Pages 35 – 38)

Attached Documents:

Letter from the Chair to Natural Resources Wales

Response from Natural Resources Wales

4.3 Paper from Ramblers Cymru in relation to the Committee's scrutiny of the Welsh Government draft budget 2021–22

(Pages 39 – 40)

Attached Documents:

Paper

4.4 Correspondence from the Scottish Parliament's Local Government and Communities Committee to the Scottish Government in relation to the Hazardous Substances (Planning) Provisional Common Framework

(Pages 41 – 43)

Attached Documents:

Letter

4.5 Correspondence between the Chair and Initiative for Nature Conservation Cymru (INCC) in relation to Natural Resources Wales' biodiversity remit

(Pages 44 – 59)

Attached Documents:

Letter to the Committee from Initiative for Nature Conservation Cymru (INCC)

Letter from the Chair

4.6 Correspondence to the Minister for Environment, Energy and Rural Affairs in relation to the Committee's legacy work

(Pages 60 – 62)

Attached Documents:

Letter

5 Motion under Standing Order 17.42 (vi) and (ix) to resolve to exclude the public from the remainder of the meeting

Private meeting 16.00–16.30

6 Consideration of discussion with the Trade and Agriculture Commission under item 2

7 Animal health and disease prevention: Consideration of evidence heard under item 3

8 Consideration of the Committee's Forward Work Programme

(Pages 63 – 67)

Attached Documents:

Paper

Document is Restricted

Document is Restricted

BVA written evidence on animal health for the Welsh Parliament's Climate Change, Environment and Rural Affairs Committee

Who we are

- 1)** The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We, therefore, take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
- 2)** BVA Welsh Branch represents members in Wales, bringing together representatives of specialist and territorial divisions, government, academic institutions and research organisations in Wales. The branch advises BVA on the consensus view of members in Wales on Welsh and UK issues.
- 3)** We welcome this opportunity to provide evidence in relation to animal health. As this is a broad topic, we have summarised some of our key concerns for Welsh Government to consider.

Antimicrobial resistance (AMR)

- 4)** Antimicrobials are essential in veterinary work to treat infectious and zoonotic diseases, safeguard animal health and welfare, and ensure the production of safe, high quality food. We need to safeguard the use of existing antimicrobials and develop new ones.
- 5)** The veterinary profession recognises AMR as an issue of critical importance to society. We are committed to providing leadership on this issue within the veterinary profession, and in collaboration with other health sectors. Our overall aspiration is to reduce the use of antibiotics in animals under our care alongside improving the health and welfare of those animals, particularly through good husbandry and disease prevention strategies. We have developed a [7-point plan](#) to promote the responsible use of antimicrobials, and our comprehensive [position on the responsible use of antimicrobials in food producing animals](#).
- 6)** There are several important projects working to promote the responsible use of antimicrobials, including the Arwain Vet Cymru programme, which has already established a network of highly trained Veterinary Prescribing Champions across more than 80% of Welsh farm practices. Its success has been recognised beyond Wales, leading to the rest of the UK adopting this model. Welsh Government should continue to support this project and address the concerns highlighted by the prescribing champions.
- 7)** Ongoing work by vets, farmers, and industry has already led to significant reductions in sales of antibiotics for use in food-producing animals^{1,2}. We support evidence-based

¹ <https://www.ruma.org.uk/wp-content/uploads/2020/11/SO-469-RUMA-Summary-download-021220.pdf>

² <https://www.ruma.org.uk/wp-content/uploads/2017/10/RUMA-Targets-Task-Force-Report-2017-FINAL.pdf>

targets to further reduce antibiotic usage in animal agriculture, as part of a global solution to address AMR.

- 8) AMR is a global problem and we support the 'One Health' approach to addressing it. Collaboration between the medical, veterinary and environmental stakeholders is a key element of the [UK 5-year action plan for antimicrobial resistance 2019-2024](#).
- 9) BVA is represented on the Wales Animal and Environment AMR delivery group and supports its [5 year implementation plan](#).
- 10) Welsh Government should:
 - incentivise improved husbandry and biosecurity measures on farm, within a system of government agricultural support. The involvement of veterinary surgeons will be essential to any such scheme.
 - prioritise the development of effective and rapid diagnostic tests that can be used on farm and in clinics.
 - continue to work with vets and industry to review and build on the success to date in reducing antimicrobial usage.

Bovine TB

- 11) Bovine tuberculosis (bTB) is a devastating chronic disease of cattle and is a major challenge facing large parts of the UK farming industry today. Bovine TB (*M. bovis*) is a zoonotic disease that can be transmitted to humans and infect other species such as badgers, deer, camelids, goats, pigs, dogs, and cats.
- 12) We support a holistic approach to tackling bTB that makes use of all the available tools in the toolbox. Behavioural science is front and centre of our approach to tackling this devastating disease. At the heart of our recommendations is empowering vets and farmers, and supporting their pivotal relationship. Our [position on the control and eradication of bovine TB](#) includes the following points:
 - rewarding farmers for good biosecurity practices through a framework for earned recognition
 - empowering private vets to advise their clients with timely, localised data
 - better data-sharing and communication between government vets and private vets
 - support for knowledge-based livestock trading
 - long-term funding for bTB advisory services
 - directing research funding to the areas which would have the greatest impact
- 13) We welcomed the creation of the Centre of Excellence for Bovine TB at Aberystwyth University, a hub for national and international research into Bovine TB. [Our position](#) highlights our research priorities, which include the development of a cattle vaccine and improved tests, and a better understanding of the effects of badger vaccination on the incidence of bTB in cattle.
- 14) Well-conceived, collaborative, industry-led programmes of disease eradication which

farmers can easily follow can have positive impacts. The veterinary profession is best placed to deliver such schemes. The Wales [Cymorth TB](#) farmer support programme launched in 2015 is an excellent example of an effective collaboration between private vets, government vets and the farmer.

- 15) Welsh Government should secure the long-term funding for dedicated bTB advisory services, providing permanence and assurance for service users and incorporating lessons from social scientists into the wider design.

Eu-Exit and veterinary capacity

- 16) International movements of live animals, products of animal origin (POAO) as well as pet animals and equines pose a risk as these may carry pathogens that can be a threat to public health and the health of animal populations. Sanitary and phytosanitary (SPS) measures are those measures to protect humans, animals, and plants from diseases, pests, or contaminants. SPS measures form a vital part the wider biosecurity framework and should not be seen solely as a barrier to trade that needs to be overcome.
- 17) The vital role of veterinary surgeons in trade, protecting public health, food safety and animal health and welfare is recognised around the world. Veterinary certification and controls form a vital part of the biosecurity framework for the UK and our trading partners. Now that Britain has left the EU, the volume of paperwork vets need to complete to certify exports of animals and animal products has increased significantly.
- 18) BVA has been raising concerns about veterinary capacity since the EU referendum, as around half of new vets registering in the UK each year are from the EEA. Covid-19 has placed additional pressure on veterinary capacity as fewer vets came to work in the UK during 2020 and capacity within veterinary teams is being stretched by the introduction of working practices to protect against the risk of Covid-19. We are also concerned that the threat of some exotic diseases is currently high – for example Highly Pathogenic Avian Influenza and African Swine Fever – potentially placing additional pressure on veterinary capacity.
- 19) The [BVA assessment of border readiness ahead of the end of the Brexit transition period](#) summarises our key concerns in relation to this issue. The recent trade deal does not remove the need for veterinary export health certification for goods moving in and out of GB. This places an enormous pressure on veterinary capacity and, despite concerted efforts by the veterinary profession and industry, we remain concerned about how we can meet these increased certification demands.
- 20) Eu-exit presents opportunities for the UK to negotiate new trade deals. We must safeguard the UK's high reputation for animal health, animal welfare, and food safety in any new trade deals. Investment at home must not be undermined by UK trade policy, for example there may be concerns that a trade deal with New Zealand could result in over supply of imported lamb, which would be detrimental to the sheep sector³.
- 21) We must continue to recognise and protect the benefits of geographical indications on some products, where those products are valued by consumers at home and abroad. Welsh lamb is a good example of an opportunity to promote high-quality high welfare UK produce to export markets, which Government should look to maximise, as well as

³ <https://www.bva.co.uk/media/3793/bva-submission-to-the-house-of-lords-eu-international-agreements-sub-committee-uk-nz-trade-negotiations-final-v2-for-website.pdf>

seeking to protect and promote local traditional specialities.

Post-CAP agricultural policy

- 22) The new agricultural policy offers an opportunity to improve animal health and welfare in Wales, and should be both ambitious and focussed on delivering outcomes. It is crucial that this new policy offers the best opportunities to develop a strong, competitive and innovative food industry which enjoys the confidence of consumers at home and abroad, and is resilient to the potential changes in our relationships with trading partners following the UK's departure from the EU.
- 23) We are broadly supportive of the Welsh Government's 'Sustainable Land Management' policy framework, and were pleased that the proposals "*explicitly recognise the interaction between food production and environmental outcomes*". It is essential that animal health and welfare are central in any new agricultural policy and should feature more prominently.
- 24) The new Welsh Agricultural policy must make it clear that ensuring the health and welfare of sentient animals is important as a marker of social progress, as well as for the role it plays in achieving other sustainability objectives such as reducing AMR as an environmental benefit. Sustainable animal agriculture is defined as "animal agriculture carried out in a way that meets the needs of the present without compromising the ability to meet the needs of the future". It should be undertaken in a way that is environmentally, ethically, and economically acceptable for consumers, producers, and wider society. Safeguarding the highest standards of health and welfare for production animals must be recognised as a key sustainability objective.
- 25) Under the One Health agenda, policies relating to sustainable animal agriculture must also address the use of natural resources and the protection and conservation of wild species, habitats, and biodiversity, in order to reduce the ecological footprint of animal agriculture as a whole. Changes in animal production and farming practices are necessary to increase the efficiency of agriculture and mitigate its environmental impact. In our [Sustainable animal agriculture position](#), we promote the benefits of properly valuing quality animal-derived products, where quality encompasses good animal health and welfare, food safety, environmental protection, a fair return for producers, and encourage consumers to [#ChooseAssured](#).
- 26) There is a large body of evidence supporting the environmental benefits of various aspects of livestock farming in Wales^{4,5,6,7,8}. These include carbon sequestration in grazing pastures, particularly leguminous pastures, reduction of methane emissions through disease eradication, increased productivity, reduced losses and increased feeding efficiency, and reduced food miles from consuming locally produced food.

⁴ Skuce et al. 2016. Livestock Health & Greenhouse Gas Emissions. ClimateXchange, Scotland's Centre of Expertise on Climate Change. https://www.climateexchange.org.uk/media/2031/livestock_health_and_ghg.pdf

⁵ Llonch et al. 2017. Current available strategies to mitigate greenhouse gas emissions in livestock systems: an animal welfare perspective. *Animal*. 2017 Feb;11(2):274-284. doi: 10.1017/S1751731116001440

⁶ Patra, A.K. 2016. Recent advances in measurement and dietary mitigation of enteric methane emissions in ruminants. *Frontiers in veterinary science*, 3: 39. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4873495/X>

⁷ Statham, J. et al. 2017. Climate change and cattle farming. *In Practice* 39.1: 10-19.

⁸ Pol-van Dasselaar, A. 2017. EIP-AGRI Focus Group Grazing for carbon, Starting Paper.

https://ec.europa.eu/eip/agriculture/sites/agri-eip/files/eip-agri_fg_grazing_for_carbon_final_report_2018_en.pdfX

Recent research published by Oxford University demonstrates that ruminants can offer a viable pathway to net zero emissions from UK agriculture, in keeping with the target date of 2030, which is a key consideration with respect to any decision on which outcomes will be rewarded via direct payments. This research provides further evidence that UK ruminant agriculture can create positive Sustainable Land Management (SLM) outcomes.

- 27) As a minimum, evidence of compliance with baseline legislative requirements should be included in the entry requirements for all farmers with animals applying for the sustainable land management scheme. Improved animal health and welfare, beyond the legal minimum, should also be recognised as an outcome with ongoing financial support being provided for good practice above the statutory requirements and where improvements are made.
- 28) Specifically recognising the importance of animal health and animal welfare as SLM outcomes, within the environmental and social as well as economic benefit categories, would reflect the Welsh government's belief that animal sentience should be enshrined in law⁹, their commitment to the concept of One Health and keeping the people of Wales safe by protecting them from disease, and their recognition that high animal welfare and food safety standards are the foundations underpinning consumer confidence in Welsh produce, both at home and abroad.
- 29) The veterinary profession has a crucial key role to play in rural communities. Veterinary surgeons work with clients to improve animal health and welfare, provide preventive healthcare and treatment, and undertake health monitoring and surveillance. Official Veterinarians (OVs) certify the trade in animals and animal products - contributing to economic prosperity, the protection of public health, and the sustainability of food production.
- 30) As mentioned above, veterinary capacity remains a concern. BVA welcomed the launch of the new Vet School at Aberystwyth University, which will see its first cohort of students arrive for the 2021/22 academic year. With a particular focus on farm livestock and an ambition to train vets to work in Wales which could, in due course, help with veterinary capacity in Wales.

Welfare at slaughter

- 31) Animal health and welfare must be protected throughout the slaughter process (from preparation on-farm, to transport, handling and killing operations at the abattoir) so that animals receive the most humane death possible. We support the Farm Animal Welfare Council's (FAWC) principles of humane slaughter as set out in the [FAWC opinion and reports on the welfare of farmed animals at slaughter or killing](#).
- 32) Slaughter processes should be designed to minimise avoidable pain, distress, fear, and suffering. To build on current legislation and best practice, and ultimately improve welfare at slaughter, [our policy position](#) sets out 67 recommendations for government, industry, researchers, and the veterinary profession across each stage of the slaughter process.
- 33) We are calling on the Welsh Government to introduce mandatory CCTV in abattoirs in all areas where live animals, or animals being slaughtered, are present with unrestricted

⁹ Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs, Written Statement - Animal Sentience, <https://gov.wales/about/cabinet/cabinetstatements/2018/animalsentience/?lang=en>

access to real time and stored footage for OV's.

Surveillance

- 34) The UK veterinary surveillance network is vital to identifying and managing threats to public health, trade, and wider society from animal diseases. Veterinary surveillance and animal health and disease monitoring is equally important across livestock, equine, wildlife, and companion animals.
- 35) Continued monitoring of new and emerging diseases through data collection, analysis, and sharing across species provides high-quality intelligence on animal health and welfare. This helps policymakers, veterinary professionals, and animal keepers to take decisions to improve animal health and welfare and productivity, as well as identify and manage threats to public health, trade, food quality, the environment, and leisure and tourism.
- 36) As members of the European Union (EU), the UK benefited from systems that monitor new and emerging disease through data collection, analysis and sharing across species. These provided high-quality intelligence on animal health and welfare that enables policy makers, veterinary professionals and animal keepers to take decisions to improve animal health and welfare, productivity, and identify and manage threats to public health, trade, food quality, the environment and leisure and tourism. Now that we have left the EU, it is important shared surveillance will continue to be a priority, with structures in place to ensure ongoing cooperation and collaboration.
- 37) A robust surveillance system is vital to the health of UK livestock and the free sharing of animal health surveillance data would benefit such a system. It will be important to ensure that capacity and capability of the domestic surveillance system, which has been under financial pressure in recent years, is maintained at an appropriate level irrespective of legislative requirements post-Brexit.
- 38) We're calling on the UK governments and other key stakeholders to work collaboratively to modernise and optimise existing animal health and disease monitoring networks across livestock, equine, wildlife, and companion animals. Our key recommendations from our [position on veterinary scanning surveillance](#) are:
- maintain the current level of government resource spent on the scanning surveillance network;
 - adopt new approaches to data collection and feedback, including incentivising the submission and sharing of data;
 - optimise appropriate skills and expertise by reinforcing the role and status of Veterinary Investigation Officers across the UK;
 - rethink traditional approaches to funding and coordination;
 - articulate the value of surveillance reporting to the veterinary profession to increase awareness and participation; and
 - work collaboratively with stakeholders to explore innovative communication strategies.

Welfare during transport

- 39) Any movement of animals will have a potential impact on their health and welfare. Whatever the type and scale of movement, the welfare of animals must be prioritised with the aim of reducing the impact of the movement as far as is reasonably possible.
- 40) The UK government has been clear in its manifesto commitment to control the export of live animals for slaughter and to make improvements to the current regulatory regime. [The Farm Animal Welfare Committee opinion on the welfare of animals during transport was published](#) following a call for evidence in 2018, and we [welcomed the recent announcement of the consultation for England and Wales](#).
- 41) Animals should be slaughtered as close as possible to where they are reared, and should not be exported to countries for non-stun slaughter.
- 42) BVA supports current legal requirements (European Community Regulation 1/2005 and the UK Welfare of Animals (Transport) Orders and Regulations) that are in force to protect the health and welfare of livestock during transport. The implementation of current legal requirements should be improved to ensure that requirements relating to appropriate transport conditions and fitness to travel of animals are adequately enforced.
- 43) We do not support the call to ban live export as this focuses on journey times and distance, instead of the complex picture of animal welfare during transport as a whole.
- 44) We'd welcome additional measures to protect the welfare of animals being transported. Any improvements should be evidence-based, informed by a welfare outcomes approach, and consider how proposals would work in all of the UK administrations. However, additional legal requirements are only beneficial if they are effectively enforced.
- 45) To build on existing legal requirements, in [our policy position](#) we also call for:
- certified training for farmers, drivers, and hauliers;
 - improved veterinary supervision and access to veterinary care during journeys; and
 - no animal to be exported to a destination with unknown welfare standards or exported to be raised in systems banned in the UK due to welfare considerations.

**NOAH submission to the Welsh Parliament's
Climate Change, Environment and Rural Affairs Committee Meeting on Animal Health**

1. NOAH (the National Office of Animal Health) has been representing companies that research, develop, manufacture and market licensed animal medicines in the UK since 1986. NOAH represents the UK animal health industry, promoting the benefit of safe, effective, quality products and services for the health and welfare of all animals.
2. NOAH supports preventative health approaches, including the use of vaccines and the responsible use of antibiotics.
3. [Our Vision for UK Animal Health and Welfare](#) sets out how taking animal health approach can deliver benefits for welfare, productivity, sustainability, and the resilience of farms.
4. The NOAH [Animal Medicines Best Practice training programme](#) is a practical example of how our sector has developed tools to help sheep, beef, dairy, and pig producers in using medicines and antibiotics responsibly.
5. **'Leading the way for livestock - achieving excellence and sustainability through core vaccines'**: farming, and producing high quality food, is a national source of pride and benefits communities across the country's rural economy. The food and farming industry is worth over £120bn to the national economy and provides jobs for more than 4 million people. The success of these sectors supports the security and livelihoods of individuals and businesses across our nations. The business of farming is unpredictable and challenging and it now sits on the cusp of major change.
6. Protecting animal health and welfare and reducing losses (20% of global animal production is lost to disease) will lay the foundations for a sustainable vibrant sector that delivers safe, high quality and nutritious food. This approach will also help to deliver on the future farming vision, enabled by the Agriculture Act 2020, supporting farmers to deliver valued public goods, such as environmental benefits and improving the health and wellbeing of the nation. Now is the time to introduce measures and reforms to support the sector to evolve and to prepare so that these opportunities can be realised.
7. Achieving excellence and sustainability in farm animal health and welfare can also be supported through core vaccines. Key to achieving this is the development and implementation of a livestock core vaccine protocol – positioning our nations to be at the forefront of efforts to enhance the quality, sustainability and efficiency of the livestock and food production industries. The concept of core vaccines has already been

proven and adopted in human health and companion animals. Core vaccines can be defined as those which protect livestock from diseases that are endemic and place all livestock at risk, have public health significance, are highly infectious or pose a risk of severe disease. Other non-core vaccines are also appropriate depending on circumstances and risks.

8. To deliver maximum benefits across all nations, a population level approach is needed for livestock vaccination. Government must work with industry to catalyse these changes and position the UK as an international brand for excellence in animal health and welfare.
9. The need for a livestock core vaccines protocol: livestock vaccines prevent and protect against harmful disease and are an evidenced-based way to secure world leading standards in animal health and welfare. Vaccines are vital tools that should be harnessed at a population level and implemented into the management protocols of all livestock farms, supporting them to be proactive and progressive. This requires the support of Government and industry to drive a mindset change and facilitate a greater uptake of vaccination to ensure UK farms consistently achieve excellence in animal health and welfare. An increased use of livestock vaccines will help speed up delivery of important national priorities, whilst supporting farm businesses and the rural economy. The implementation of effective livestock core vaccine protocols, to provide a framework for disease prevention and control within each of the different sectors of the ruminant livestock industry, is an important step towards achieving:
10. Increased sustainability and productivity through efficiency:
 - Rather than focusing on producing more, we can think about how efficiently we produce food.
 - Keeping animals healthy is a good start as healthy animals are naturally more productive.
 - Preventing disease on farm will reduce losses and produce food in a more sustainable and environmentally friendly way, contributing to a green economic recovery.
 - Healthy livestock need less resource inputs to produce meat and milk, they generate less waste including manure and have a lower carbon footprint.
 - Key to achieving sustainable improvements is proactive and preventative herd and flock health planning that effectively employs available vaccine tools.
11. Enhancing resilience across the sector:
 - A more resilient food production system strengthens national food security and supports all farming businesses to plan and grow into the future.

- Resilience relies on high health and welfare standards, and this means putting in place measures to protect and mitigate disease risks.
- A vet-led animal health team can best support farmers and their livestock by taking a holistic preventative health approach, making improvements in health and welfare with effective use of vaccines to enhance resilience.

12. Developing competitive advantage to support international trade ambitions:

- High standards of animal health and welfare offer a competitive trade advantage.
- Levels of vaccine use is measurable so can be used to demonstrate high standards of producers.
- Raising healthy livestock, effectively protected from disease and the consequential impacts on welfare, allows farmers to be more competitive at home and abroad.
- Increasing the attractiveness and trust in a quality export food market offers market access potential and business growth opportunity.

13. Harnessing innovation and high-tech solutions to meet sector needs:

- The UK is a world leader in animal health research and development and is forging a position as a champion of technology and innovation to drive economic recovery and improvements.
- Vaccines offer a high quality, safe and effective solution to today's animal health challenges.
- They form the cornerstone of preventive health and the 'prevention is better than cure' approach.
- Future vaccine development will innovative further but needs a sound basis and market for investment.

14. Meeting societal expectations with a preventative approach to animal health and welfare

- Consumers expect the highest standards of animal health and welfare on our farms.
- The social contract of public money for public goods includes an expectation to uphold high standards with all livestock receiving the best possible care.
- National livestock health improvements can best be supported by taking a preventative population health approach with the use of an approved livestock vaccination protocol in a Herd Health Plan.
- This approach has the added 'One Health' benefit as a national effort on livestock vaccination could further support the responsible use of antibiotics and the UK's global AMR leadership position.

15. Delivering excellence in animal health and welfare – call to action:

1. Endorse the principle of a core livestock vaccination protocol developed by an independent, expert panel.
2. Promote the use of a core vaccination protocol. This means all farmers must use an appropriate livestock vaccine protocol for their production system, which is incorporated into the farm's Herd Health Plan and consistently delivered.
3. Use government financial assistance to drive sustainable and progressive farming, through the inclusion of a vaccine review within a vet-led herd health review.
4. Commit to measuring outcomes e.g. vaccine use, health, and welfare metrics, to evidence improvements and to increase national and international trade opportunity.

Agenda Item 4.1

Lesley Griffiths AS/MS
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LG/452/21

Mike Hedges MS
Chair of Climate Change, Environment and Rural Affairs Committee

SeneddCCERA@senedd.wales

13 January 2021

Dear Mike

Thank you for your letter of 17 December, regarding the Supplementary Legislative Consent Memorandum for the UK Environment Bill.

I am content to assist the Committee's consideration of the Supplementary LCM by responding to the questions set out in your letter.

Question 1:

The Welsh Government supports the policy position provided by the provision because we agree it is part of the vital recovery from the COVID-19, and helps us to build a greener, fairer and more resilient global economy. Protecting precious forest environments is central to tackling climate change, ensuring people have secure livelihoods, and protecting the natural systems on which we all rely for the food we eat, the water we drink and the air we breathe.

Responsible businesses have been leading the way in establishing sustainable supply chains to protect forests, and this policy aims to support and reinforce these efforts. We support the UK Government proposal to introduce a new law designed to prevent forests and other important natural areas from being illegally converted into agricultural land.

The law they are proposing would work by requiring a relatively small number of large businesses to make sure the 'forest risk' commodities they use – commodities which can cause wide-scale deforestation – have been produced legally. This is because globally, a large proportion of forest clearance to produce these commodities is not considered legal.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We support the UK Government's direction of travel in order to maintain Wales' position as a global leader in our responses to the climate change and nature crises. We do not think it would be appropriate to expect the small number of larger businesses who will be affected by this regulation to have to work with a different process in Wales compared to other parts of the UK. This would result in unnecessarily increased business costs as a result of complying with more than one set of processes.

Question 2:

The UK Government consultation on the proposed amendment began on 25 August and concluded 5 October. Welsh stakeholders were able to take part in order to express their views. A summary of responses was published in November 2020:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/933985/due-diligence-forest-risk-commodities-government-response.pdf

Question 3:

We are satisfied Welsh interests are being adequately met by this provision because we believe it to be best for there to be consistency of approach towards the implementation of this provision across the UK. This would provide a more streamlined and efficient approach across the UK.

Question 4:

We do not intend to pursue any amendments to this provision.

Question 5:

My officials have secured agreement to be updated and informed of the progress of the development of this provision by DEFRA officials and are currently agreeing the details of how and when this will take place.

Question 6:

My officials received confirmation on 8 January 2021 from DEFRA leads:

'Enforcement of the due diligence law will be carried out by a Government regulator, who will help businesses to understand the requirements and investigate their compliance, but we are still in the process of confirming which (UK-wide) regulator this will be. With the primary legislation now under scrutiny in Parliament within the Environment Bill, we are turning our attention to the secondary legislation through which the finer details of the legislation will be laid out and to the accompanying guidance. This will include more on what the companies in scope are required to do and how exactly they will be monitored.'

As set out in (5) above my officials will liaise with the DEFRA leads to obtain more detail as the work progresses.

Question 7:

You are correct to note DEFRA did not bring forward a Government Amendment to strengthen a duty for the OEP to consult equivalent bodies in the Devolved Administrations at Commons Committee stage. I can inform the Committee I have reached an agreement in principle with Defra to bring forward the amendment to Clause 26(1) at Lords' Stage and I am content with this approach.

Regards

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Lesley Griffiths AS/MS

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

Clare Pillman
Chief Executive
Natural Resources Wales

11 December 2020

Dear Clare

Salmon and migratory trout net fishing licence duties 2021, 2022 and 2023

It has been brought to the Committee's attention that Natural Resources Wales (NRW) has given notice of its intention to amend salmon and migratory trout net fishing licence duties for the period 1st January 2021 to 31st December 2023. NRW has produced an options review alongside the notice, setting out six potential options for new duties.

The Committee is aware that the period for objecting to the proposed duties ended on 2nd December 2020. The Committee has agreed that I should write to you to raise several matters to inform your consideration of the proposals.

We have received correspondence from the Campaign for the Protection of Rural Wales, which says that they have significant concerns about the proposals to "dramatically increase the fees for those fishing by coracle and seine nets". We note that the NRW report says that the preferred option (Option 6) "might result in reductions in some traditional fisheries (e.g. Teifi coracle fishery would see an increase in duty to bring it into line with similar fishery on Tywi)".

We are concerned that these proposals may result in a negative impact on an important part of Welsh culture and heritage. We believe that your decision on the proposals must be consistent with the Wellbeing Goals set out in the Well-being of Future Generations (Wales) Act 2015. In this case, the goal is to protect an important part of Welsh culture and heritage. We agree with NRW's assessment that the proposed approach may reduce



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numbers of traditional fishers and we believe this may, consequently, undermine the wellbeing goal.

I would be grateful if you could consider these matters when reaching your decision.

Yours sincerely

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style with a large initial 'M'.

Mike Hedges MS
Chair of Climate Change, Environment and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Mike Hedges MS
Chair of Climate Change, Environment and Rural Affairs Committee

By e-mail: SeneddCCERA@senedd.wales

07 January 2021

Dear Mike,

Salmon and migratory trout net fishing licence duties, 2021, 2022 and 2023

Thank you for your letter dated 11th December on the subject above in which you set out the concerns of the Climate Change, Environment and Rural Affairs Committee regarding the Natural Resources Wales (NRW) advertisement of proposed new net licence duties. I understand the Committee's concern, however, I would like to assure you that there is clear reasoning behind the proposed increases.

In approving un-changed net fishing licence duties for 2020, the Minister for Environment, Energy and Rural Affairs set a condition that NRW should review duties prior to the 2021 season to ensure they are based on a robust and transparent methodology. The key principles for the review were the challenge set by the Minister, and the principle of regime cost recovery as set out in the document 'Managing Welsh Public Money' (Welsh Government, 2016). The costs we seek to recover are those of administering the licencing system, and for the assessment of compliance with regulations. As part of our own regulatory principles, we endeavour to ensure our regime administration costs are kept to a minimum and that the logic and method of calculating revised duties are both rational and transparent.

Since the 1990's the licencing system has included a banding structure so that those fisheries that catch most fish pay more, whilst those with low catches and low environmental impact pay less. We have proposed to bring this system up to date so that the cost of duties within each band reflect contemporary levels of catch. The majority of duty increases are modest and average 21% across fisheries, comparing favourably to the 29% inflation rate since the duties were last reviewed in 2010. I acknowledge that the proposed increase for some fisheries, notably the Teifi coracle fishery with a proposed increase of £302, is comparatively large, however this reflects the average catch per licence in the fishery.

In contrast to your concerns, the proposal for the Teifi, Dyfi and Mawddach seine nets are for decreases of £32, £132 and £161 respectively. This again reflects the revised banding proposal which is itself a result of the low catches and impact of these fisheries on stocks.

The committee may also wish to note the proposed lowest licence band (Band D) includes the Blackrock lave net fishery. The proposed duty for a licence within Band D is £100, representing an increase from £79 (21%) which is lower than the increase in the rate of inflation over the past decade.

I recognise that higher prices may have an impact on some fishermen, including those who use traditional fishing methods. NRW and its predecessor bodies have been mindful of the cultural value of unique fishing methods, and it was for this reason that in 2011, Environment Agency Wales consulted with fishermen on a potential 'Heritage' licence. This would have combined a lower annual duty with a cap on the number of fish that could be taken. The Tywi and Teifi coracle net fishery interests were amongst those who rejected proposals to consider this further.

Nevertheless, we do recognise the importance of heritage value and that coracle fishing should be preserved for future generations. The best way to ensure that this is possible is to take action to restore fish stocks to sustainable levels, and NRW is considering a range of initiatives needed to ensure this happens.

You mention statutory duties for tradition and culture under section 3(1) of the Well-being of Future Generations (Wales) Act 2015 (the WBFG Act). As a public body NRW is under a duty to carry out the:

“process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle aimed at achieving the well-being goals”.

However, this does not mean that NRW must meet the duty independently of its other more detailed duties and powers. The statutory guidance of the WBFG Act 2015 is clear that the duty to carry out the *“process of improving the economic, social, environmental and cultural well-being of Wales”* therefore sits alongside and compliments NRW's more detailed powers and duties which are now exercised in the context of the duty to carry out the process of improving well-being.

Finally, Welsh Government has received a number of responses to the advertised duties. I want to reassure you that NRW will fully consider and reply to those that have responded and hopefully address their concerns before sending our recommendations to the Minister for final consideration and decision. We are aiming to send our recommendations to the Minister by the end of January 2021.

Yours sincerely,



Clare Pillman

**Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales**

Tuesday 12th January 2021

CCERA Scrutiny of Draft Budget 2021/22

1. The Covid 19 pandemic has led to many more people appreciating their access to the landscapes and nature of Wales. Lockdown brought a renewed appreciation of the outdoors and when limited to local exercise, many people explored their own communities on foot: bringing them closer to nature and connected through the paths that criss-cross our communities and countryside.
2. After an absence of several years, and following sustained pressure from outdoor organisations like Ramblers Cymru, in September 2020 Welsh Government provided a funding boost of £1.76m to support local Rights of Way improvement. Deputy Minister, Hannah Blythyn said at the time *“access to local green spaces proved just as important during lockdown and this funding demonstrates that we greatly value our local footpaths and other rights of way”*.
3. This was a very welcome development, as years of pressure on Local authority budgets have resulted in downward trend in allocations to Rights of Way and countryside departments. Our data shows that an average of only 79p per person is invested by Highway Authorities in maintaining and improving our 33,000km footpaths in Wales. The extra funding direct from Welsh Government to these departments is crucial and needed to improve access for all.
4. We hoped the draft budget would build on the September 2020 announcement and include a strong commitment to placing access to the outdoors at the heart of the green recovery. Improving our paths and green spaces will help build a healthier more active nation. However, the 2021/22 draft budget, indicates no change in allocation from 2020/21 for *Landscape and Outdoor Recreation* under either the Resource or Capital budgets.
5. The budget narrative does not indicate that any provision has been made to boost Highway Authority resources for rights of way and access. Active Travel receives significant and growing investment, as it has over recent years, but there is no mention of the equally important footpaths and bridleways. Rights of way uniquely link us to our local heritage, to nature and contributes so much to our daily lives, health and wellbeing, and the visitor economy. Ramblers Cymru are calling for fair funding for the delivery of Rights of Way Improvements, equivalent to at least 10% of that made available for Active Travel infrastructure.

Pack Page 39

6. In the section “Investing in physical and mental health”, only local sporting

facilities and events are covered; the plans for the National Forest do not refer to recreational access.

7. The CCERA committee's recent recommendation that "**Future Wales should recognise the public rights of way network and access to common land as national assets**" is very welcome and will hopefully be accepted by government. This can then be the catalyst to engender a new approach to long-term, secure funding for paths and green spaces.
8. Ramblers Cymru urge the CCERA committee to question the Cabinet Secretary about the government's approach to improving access and rights of way, and whether provision has been made to support Highway Authorities to deliver ongoing improvements.

Policy Manager
Ramblers Cymru



The Scottish Parliament
Pàrlamaid na h-Alba

LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

Kevin Stewart MSP
Minister for Local
Government, Housing
and Planning

The Scottish Parliament
Edinburgh
EH99 1SP

LocalGovernmentandCommunities@parliament.scot

By email to: MinisterLGHP@gov.scot

13 January 2021

Dear Kevin,

Hazardous Substance Planning Provisional Common Framework

Thank you for providing evidence on the above on 16 December and for the associated correspondence.

This is the first time this Committee has commented on a provisional Framework under this new process before it is signed off for formal use. It is important that legislatures in the UK have this opportunity. It is also important that Parliamentary committees have adequate opportunity for considered scrutiny.

To that end, I am grateful that you were able to agree to a consideration period slightly longer than the 28 days initially proposed. Whilst this Framework did not prove to be contentious, the Committee can envisage instances where Parliamentary committees and stakeholders would need sufficient time to consider the full implications and impact of a Framework touching on complex or more controversial issues, and we hope this is borne in mind by administrations over the coming months.

Turning to the substance of the Framework, we agree with your assessment that, overall, it raises no contentious issues, and that it can be operated without restriction of devolved powers, with little scope for market impact. We note that, whilst a number of stakeholders were given an opportunity by the Committee to comment on the Framework, few chose to do so, and (with one exception, as set out below), no objections were raised.

Following on from our discussion of the 16 December, there are three matters in relation to which we would welcome your consideration before the Framework is signed off:

(1) Is it envisaged that administrations will periodically report to legislatures on how effectively the Framework is operating and on any elements of it that, on the basis of experience, require to be revised? We think this Framework –and Frameworks in general– would benefit from such a commitment, and the opportunity it would provide for stakeholders to provide informed commentary on how the agreement has bedded in. If this is agreed, we suggest that parties consider writing it into the Framework itself, to underwrite this commitment.

There might be merit in there being a report to legislatures within the first, say, 18 months of the Framework becoming operational. Thereafter, reports could be spaced more widely apart, perhaps once every three years.

(2) We did not discern any express commitment in the Framework to the principle of jointly keeping pace with any relevant international agreements the UK may agree to after the Framework becomes operational. Is this a matter that ought to be covered in the Framework?

(3) The overall approach to dispute resolution set out in the Framework seems sensible, including recognition that at times parties may “agree to disagree” rather than escalate matters. The only criterion in such case is, impliedly, that the matter is not important enough to merit escalation.

We would welcome assurances that no party would cite this provision in circumstances where it has lowered hitherto agreed minimum standards in relation to hazardous substance planning, and other parties have legitimate concerns that this might have significant implications; by raising the risk of harm to public safety within their jurisdiction. We note that concerns of this nature were also set out in a response to our call for views by an experienced former senior town planner.¹

We appreciate that the Framework is not a legal document and that a degree of flexibility in its interpretation is inevitable. However, is there a need for it to be spelled out more clearly what matters are *not* covered by the “agree to disagree” provision?

In conclusion, I reiterate comments made in my letter of 4 December 2020 to Bruce Crawford, Convener of the Finance & Constitution Committee. This was a response to a request for views on Scottish Parliamentary scrutiny of “repatriated” matters in the post-Withdrawal Agreement period, including scrutiny of common frameworks. I said:

“...for the avoidance of doubt, the Committee is clear that the coming into force of a common framework in no way limits the right of a Parliamentary committee, or the Parliament as a whole, to scrutinise and debate operational matters dealt with under a framework that are within its remit or competency, where there is a public interest in doing so.”

I hope these comments are helpful and look forward to receiving your response. This letter is copied to Chairs of counterpart committees in the other UK legislatures.

¹ https://www.parliament.scot/S5_Local_Gov/HSP.V1FINAL.pdf

Yours sincerely

James Dornan MSP

Convener of the Local Government and Communities Committee

Agenda Item 4.5

MENTER AR GYFER
CADWRAETH NATUR CYMRU



INITIATIVE FOR NATURE
CONSERVATION CYMRU

Climate Change, Environment and Rural Affairs Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

4th January 2021

Dear CCERA Committee Members

Natural Resources Wales Biodiversity Remit

The Initiative for Nature Conservation Cymru (INCC) was founded in 2018 as a charitable incorporated organisation (charity number: 1180113). Our vision is of '*a Wales with more wildlife in more places, created by a society that intrinsically values the natural world*'. INCC was formed in response to the growing need for a truly independent nature conservation organisation for Wales. An organisation that was able to speak out and challenge environmental decision makers to do more for wildlife and nature conservation in Wales.

In February 2020, INCC handed in a petition to the Senedd Petitions Committee, regarding the Biodiversity Remit of Natural Resources Wales (NRW). The petition received over 1,000 signatures and the issues raised in the original petition and throughout the committee's deliberations have received much attention and support throughout the nature conservation community in Wales.

On the 8th of December 2020, the Petitions Committee wrote to INCC to confirm that the issues raised in the petition were now to be considered at the Climate Change, Environment and Rural Affairs Committee.

I therefore write to enquire how the CCERA Committee proposes to pursue the issues raised in the original INCC petition and the subsequent issues that have arisen during the various

representations (Appendix 1 - 4).

I would be grateful if you could confirm the process involved, the likely timescales and how INCC can be of assistance to the committee when considering the issues.

Thank you for your time and if you have any queries, please feel free to contact me.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'R. Parry', with a long, sweeping flourish extending to the right.

Robert

Robert Jones Parry
Chief Executive Officer
Initiative for Nature Conservation Cymru (INCC)
rob.parry@incc.wales



Petitions Committee
National Assembly for Wales

16th February 2020

Dear Petitions Committee

INCC's Comments following the Minister's response (LG/00072/20) to the petition (P-05-941) - Biodiversity Remit for Natural Resources Wales (NRW)

In less than 15 years time, the iconic Curlew will in all likelihood be extinct in Wales as a breeding bird. Its extinction from our countryside will already have been preceded by the Turtle Dove, Corn Bunting and Nightingale. Wildlife in Wales is disappearing. Entire species are being lost from our land and sea and many of the species that do remain are often at such low numbers that their long-term survival cannot be guaranteed. We now live in the worst time there has ever been for wildlife in Wales.

In April 2019, the Welsh Government declared a 'Climate Emergency' but despite the overwhelming weight of evidence, we have not seen a similar emergency declared for Biodiversity. Given the right commitment, dedication and leadership, Wales can still have a chance of halting and reversing the tragic declines in wildlife that we are witnessing today, but only if action is taken now.

In her response to the petition, the Minister makes reference to the 'tools' (policies and documents) intended to deliver action for biodiversity. However, the deeper problem isn't the strength (or otherwise) of the tools at hand but the lack of their application. The Minister's response does not address this. In fact, celebrating the 'tools' alone without acknowledging the lack of action creates a misleading delusion of success regarding biodiversity delivery.

Terminology of key delivery approaches by NRW such as Integrated Coastal Zone Management (ICZM) and Sustainable Management of Natural Resources (SMNR) further obscures the reality of biodiversity delivery. Delivering an SMNR approach may not actually be delivering for biodiversity, and in some instances could actually be damaging to biodiversity.

For NRW to be more accountable to the people of Wales on biodiversity issues there needs to be specific detail from the organisation regarding its activities and far more transparency over its on-the-ground actions to deliver for biodiversity. Without greater detail, transparency and accountability over biodiversity actions, there is the very real risk that the situation for wildlife in Wales will continue to worsen.

One area of concern is NRW's approach to designated areas such as Sites of Special Scientific Interest (SSSIs). These sites play an important role in the conservation of the most important species and habitats in Wales and should therefore be at the forefront of protecting biodiversity. Despite their importance, the conservation status of the SSSI suite in Wales is not fully known by NRW. This lack of essential information has been caused by a reduction in monitoring of sites and species by NRW over recent years and is a further example of the lack of commitment and regard for biodiversity action.

A striking difference between NRW and its counterpart Natural England (NE) is how difficult it is to get a clear picture of how designated sites are faring in Wales. NE's SSSI database enables the searcher to locate any SSSI, their management objectives and importantly the condition the site is in. There is also clear information about the monitoring and reporting programme, which although exposes how poorly many sites are performing it is nonetheless transparent and accessible.

The paucity of detail from NRW regarding protected sites, monitoring and its general approach to biodiversity duty makes it incredibly difficult for the people of Wales to track whether progress toward reversing the declines in biodiversity are being achieved.

Since NRW's inception in 2013, there has been a dramatic reduction in the resources dedicated to frontline Conservation work within the organisation. Currently, NRW employs fewer than 25 fulltime equivalent staff undertaking on-the-ground nature conservation work across the whole of Wales. This is from a staff base of approximately 1,900 employees. In addition, the job title of 'Conservation Officer' has also been abandoned by NRW and some of the U.K.s leading nature conservation experts have been moved away from positions where they can influence biodiversity delivery. These changes suggest a worrying lack of regard and commitment for biodiversity delivery and makes it all the more implausible that the aspirations set out in various plans and policies will be achieved.

One of the greatest threats to biodiversity is from inappropriate development. The planning process represents both a means to protect habitats and species from damage as well as an opportunity to secure biodiversity gains. Therefore NRW should be central to this process. However, since 2015 (amended in 2018) NRW base their consultation responses on a reductionist list of specific areas for comment. The strict reliance on the list and the inability to deviate from it means that NRW, as the statutory environmental body, not only fails in their duty regarding biodiversity, but frequently fails to support officers from Local Planning Authorities (LPA) in their comments and responses. NRW's lack of engagement in the process undermines the ability of LPAs to defend local biodiversity and seek suitable opportunities for biodiversity gains. NRW's very restrictive list of criteria for planning

responses creates situations in which their lack of response is interpreted as no grounds for objection, in cases where the loss of biodiversity is a very real risk.

Making biodiversity an explicit element of NRW's remit will have the following advantages regarding reversing the declines in wildlife.

- 1) It will ensure that budgets (capital and revenue) specifically for biodiversity delivery can be developed, made public and scrutinised by the people of Wales.
- 2) It will ensure that greater detail regarding on-the-ground delivery for biodiversity will be developed, made public and scrutinised by the people of Wales.
- 3) It will ensure that NRW will take greater action and responsibility for biodiversity delivery.
- 4) It will ensure a greater commitment to protecting, managing and monitoring our protected sites in Wales (**Case Study 1**).
- 5) It will enable expert staff within NRW to be able to use their skills and experience to deliver for biodiversity.
- 6) It will enable NRW to become more active in the planning process, and therefore secure better protection for wildlife and more biodiversity gains.
- 7) It will enable the establishment of nature recovery targets so that progress (or otherwise) made toward particular 'at risk' species can be chartered and made public.
- 8) It will provide greater confidence for the people of Wales that the Welsh Government and NRW are demonstrating a greater commitment to biodiversity and reversing the declines.
- 9) It will inspire greater ambition within NRW and the wider nature conservation sector in Wales to do more to reverse the declines in biodiversity (**Case Study 2**).

The above points, as outcomes of an explicit biodiversity remit would provide greater confidence that NRW is using its statutory powers and resources effectively to deliver for biodiversity. Unless the remit is made this explicit, our fear is that NRW will facilitate the disguise, de-prioritisation and failure to deliver for biodiversity through the continued use of obfuscatory language.

I would like to thank the Committee for debating this petition and if you require any further information regarding this response please feel free to contact me.

Yours Faithfully



Robert
Robert Jones Parry
Chief Executive Officer
Initiative for Nature Conservation Cymru (INCC)

Case Study 1: Protected Sites

Black Brook Pastures Site of Special Scientific Interest (SSSI) in Mid Wales was recently subject to a planning application to develop on part of the special site. The planning application (subsequently withdrawn by the applicant) was refused by Powys Local Planning Authority (LPA) on account of it being a protected site and due to the unacceptable loss of habitat that would have resulted if the development had proceeded. However, despite these objections, NRW's response was to condition the planning application and effectively facilitate the direct loss of part of the SSSI and the special habitat features for which the site was designated for.

Regardless of whether NRW acted unlawfully in its decision making over the development, the case highlights a general lack of commitment toward biodiversity and protected sites which are essential havens for biodiversity in Wales and the cornerstones of our ecological networks.

Case Study 2: Lack of Ambition for Biodiversity Recovery

The marsh fritillary is one of the most endangered butterfly species in the U.K. Although Wales still remains a relative stronghold, even here the species continues to suffer. Population declines have meant that the species is now only found in a handful of areas in Wales.

In 2015, NRW permitted a licence application (**68500:OTH:SCA:2015**) to take from the wild and destroy up to 80 marsh fritillary caterpillars from South Wales. Although granted, the licence application wasn't acted upon. The project would have partially repeat a previous (four years prior) genetic study undertaken by its predecessor (Countryside Council for Wales (CCW)) which granted the destruction of up to 360 marsh fritillary caterpillars from across Wales.

In contrast, a licence application submitted to NRW in 2016 aimed to take the same number (80 maximum) of marsh fritillary caterpillars from the same locations as per the 2015 granted licence application. This time however, the license wasn't to kill, but to breed in captivity so that eventually thousands of marsh fritillary butterflies could be returned to suitable habitat in the landscape. As well as the breeding programme, the project would undertake research, practical habitat management for the species, as well as work with local communities, landowners and businesses to showcase the butterfly and its habitat. The licence application was rejected by NRW and the project did not proceed.

It cannot be right for Wales' Statutory Environmental Body to licence the killing of endangered wildlife for academic purposes alone and to not licence an application designed to safeguard a population from local extinction. The case highlights that there needs to be far more ambition for reversing the declines in biodiversity than shown by NRW at present.



Petitions Committee
National Assembly for Wales

15th June 2020

Dear Petitions Committee

INCC's Comments following the Minister's response (LG/00673/20) to the petition (P-05-941) - Biodiversity Remit for Natural Resources Wales (NRW)

Thank you for the opportunity to provide comment and further evidence in relation to the Minister's response (LG.00673/20) to the INCC Petition (P-05-941) - Biodiversity Remit for Natural Resources Wales.

INCC welcomes the progress made by Welsh Government in light of the petition, particularly the recognition of the nature emergency and the added emphasis on NRW as the major facilitator to halting and reversing the decline in nature in Wales (NRW Remit Letter 2020-21).

However, in her response (LG.00673/20) the Minister continues to celebrate the 'tools' (policies and documents) without consideration of whether NRW has the resources, structure and organisational ethos to apply those tools effectively enough to counter the escalating nature emergency.

The Minister fails to acknowledge the very real need for NRW to change if it is to deliver more for nature. This lack of acknowledgement regarding NRW's ability to deliver effectively creates a distorted representation of Welsh Government's true commitment toward halting and reversing the decline of nature in Wales.

It is clear that NRW needs to alter its approach toward delivering for nature conservation to fully meet the escalating nature emergency in Wales. A stronger, more explicit biodiversity remit would enable the organisation to change its mind-set to better prioritise nature conservation. Resources could be better applied and importantly, skilled and experienced staff would be at the heart of biodiversity decision making.

As highlighted in previous correspondence (16.02.2020), one of the current failings of NRW is their silence regarding the planning process in Wales. Planning represents both a means to protect habitats and species from harm as well as an opportunity to secure biodiversity gains in the long-term. Given the escalating nature emergency, NRW should be influencing the process far more than at present and working with Local Planning Authorities (LPAs) to ensure a collaborative approach to securing biodiversity gains. Instead, NRW have reduced their input to just a reductionist list of specific areas for comment and many local sites are being lost as a consequence. This contributes to the continual erosion of the landscape's overall resilience to support wildlife and the well-being of local communities.

If NRW was to have a stronger, more explicit biodiversity remit then the organisational management would be better placed to plan and deliver for the long-term (a necessity for nature conservation). Even the much welcomed project funding (highlighted in the Minister's response) appears to be relatively short-term in its delivery. Although these projects have a capacity to deliver for nature, they are often (on account of their funding) short-term, rushed and unsustainable in the long-term. If NRW are to fully play their role in meeting the escalating nature emergency, then projects need to have funding guaranteed over longer periods of time and delivered by an NRW which is well resourced with skilled and experienced nature conservationists. This would ensure that funding can build on already identified best practice.

Information received from NRW (ATI-19096a) shows that as the Statutory Environmental Body and leading organisation charged with nature conservation responsibilities in Wales, NRW does not have a clear awareness of its own staff skill-set with regard to the skills and experience needed to halt and reverse the declines in nature.

It is imperative for any organisation to employ and retain staff that have the skills and experience needed to further the organisation's objectives, and to ensure that those staff work in areas within the organisation where their skills and experience are best placed to effect positive change. This is even more important in nature conservation as it depends on highly skilled nature conservationists, taxa experts and habitat managers to determine the appropriate course of action required to halt and reverse the declines of particular species and/or habitats. The skills of a taxon expert take a life-time to build and cannot be substituted or easily replaced.

Since the creation of NRW in 2013, there has been a dramatic reduction in the number of skilled and experienced staff (and job roles) able to help the organisation halt and reverse the declines in nature. Furthermore, NRW do not currently hold information on the number of staff employed by the organisation who are recognised habitat and/or species specialists, nor are there records regarding taxa experts within the organisation, their particular expertise, or whether they have a remit to influence delivery for their area of expertise.

If the organisation charged with halting and reversing the declines in nature has little knowledge of its own internal skill-set with regard to overcoming the challenges facing Wales and its escalating nature emergency, then it is difficult to conclude that the organisation has the appropriate biodiversity remit for the job.

I would like to thank the Committee for debating this petition and if you require any further information regarding this response please feel free to contact me.

Yours Faithfully



Robert

Robert Jones Parry
Chief Executive Officer
Initiative for Nature Conservation Cymru (INCC)
rob.parry@incc.wales



Petitions Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

23rd September 2020

Dear Petitions Committee

**INCC Comments regarding Natural Resources Wales' response (CX20-136) to Petition P-05-941
- Biodiversity Remit for Natural Resources Wales.**

Thank you for the opportunity to provide further representation to the committee in relation to NRW's response (CX20-136) to Petition P-05-941.

INCC believes that Natural Resources Wales (NRW) is misleading the committee, the Welsh Parliament and the people of Wales by claiming that:

"NRW's purpose and focus supports the transformational change needed to halt and reverse the decline in biodiversity"

Clare Pillman - Chief Executive
Natural Resources Wales

There is very little independent evidence to support the claim made by NRW. On the contrary, it could be suggested that NRW's purpose is too conflicted and their focus too risk adverse to make the necessary and meaningful contributions needed to reverse the decline of biodiversity in Wales. Both the NRW and Ministerial response to the petition have been disappointingly defensive. Neither party has acknowledged the growing discrepancy between the work undertaken by NRW and the work needed to be undertaken by NRW – if we are to truly reverse the decline in biodiversity.

The committee can be in little doubt that Wales is still failing to deliver the necessary nature conservation action needed to halt (let alone reverse) the declines in biodiversity, with many habitats and species still being lost in Wales.

It is also worrying that neither NRW nor the Minister has made any suggestions for improvement, nor has there been any inference that more could be done by the organisation. Even the most successful organisations strive for improvements in delivery.

NRW's reliance on verbosity and defensiveness has made evaluating their organisational delivery against what is actually needed to reverse the declines in biodiversity very difficult. It is for this reason why INCC would strongly recommend that an independent inquiry be established to ascertain whether Wales has the appropriate statutory body, with the appropriate purpose, focus and remit to truly undertake the actions needed to reverse the decline of biodiversity.

The recent global focus on species extinctions has brought a keener focus on the plight of Wales' own biodiversity and the efforts needed here to ensure nature's long-term survival. An independent inquiry would therefore be an appropriate step to take to reassure the people of Wales that we have the appropriate statutory organisation with the appropriate purpose, focus and remit to bring about the outcomes needed for wildlife and their habitats.

I would like to thank the committee for debating this petition and if you require any further information regarding this response please feel free to contact me.

Yours Faithfully



Robert

Robert Jones Parry
Chief Executive Officer
Initiative for Nature Conservation Cymru (INCC)
rob.parry@incc.wales



Petitions Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

10th November 2020

Dear Petitions Committee

INCC representation following the Minister for Environment, Energy and Rural Affairs' response (LG/02480/20) to Petition P-05-941 – (Biodiversity Remit for Natural Resources Wales).

Thank you for the opportunity to provide further representation to the committee following the response made to the committee by the Minister for Environment, Energy and Rural Affairs (LG/02480/20).

INCC welcomes the investment and recent initiatives toward peatland restoration in Wales as outlined in the Minister's response. Restoring peatland habitats will be an essential component toward reversing the decline in biodiversity in Wales. As well as its importance for biodiversity, peatland restoration will also contribute to addressing Wales' climate emergency and our growing flood risk issues.

However, it is important that the Welsh Government clearly states whether a greater budget for this essential peatland restoration works would have been provided to NRW, if NRW still had the internal staff resources to deliver additional works. Does the £1.135 million represent the maximum achievable peatland restoration possible with the current staff resources to deliver it? The gradual erosion of specialist species and habitat staff within NRW has meant that the organisation as a whole is less able to deliver for biodiversity and less able to take

advantage of opportunities for biodiversity enhancement when they arise.

In her response, the Minister also fails to mention that a substantial amount of spending on peatland restoration in Wales will be used to ameliorate the deleterious impacts on peatland habitats caused by historic and ongoing forestry management operations. Inappropriate afforestation and forest management practices by NRW and its legacy body has caused an inordinate amount of damage to peatland and other upland habitats in recent decades. INCC would welcome clarification on the Welsh Government's position toward removing harmful conifer trees from areas of deep peat across Wales.

Species and habitats continue to be lost in Wales through ongoing forestry operations and neither the Minister nor Forest Resource Plans or Area Statements are able to successfully explain how these conflicts will be managed for the benefit of wildlife in future. Resolving the conflicts between forestry operations and nature conservation should have been a priority for NRW since its inauguration in 2013. Despite this, very little operational change or tangible benefit for biodiversity has occurred within the Welsh Government woodland estate.

If NRW are unable, or unwilling to take action for biodiversity on their own managed estate, it is difficult to see how:

“NRW's purpose and focus supports the transformational change needed to halt and reverse the decline in biodiversity”

Clare Pillman - Chief Executive
Natural Resources Wales

One underlying issue that both NRW and the Welsh Government have failed to resolve over the past seven years is that there are no specific targets set for achieving biodiversity gains. Without firm, evidence based targets to aspire to it is impossible to measure and evaluate success or identify areas for improvement. Instead of targets, NRW's approach has been to announce broad, unmeasurable 'visions' and 'statements that together effectively creates a distorted representation of NRW's ability and capacity to halt and reverse the decline in biodiversity.

The upcoming State of Natural Resources Report (SoNaRR 2020) will be published before the end of the year. Once published, the report will provide a vital insight on how biodiversity and nature conservation is faring in Wales. I would suggest to the Petitions Committee that if

the SoNaRR indicates that the situation regarding biodiversity remains bleak, then a full independent inquiry into NRW's role and ability to reverse the declines should be launched.

An independent inquiry would be able to identify any gaps in NRW's delivery for biodiversity, and identify the reasons for those gaps. Importantly, an inquiry would be able to provide a series of recommendations and solution to help make NRW better equipped at tackling the problem facing biodiversity in Wales.

It has become increasingly clear throughout 2020 that we need to act now if we are to save many iconic Welsh species and their habitats from extinction. To do this we need to know that our statutory environment body is equipped for the task, and if not, what else is needed? Criticism, challenges and independent inquiries are not designed to undermine NRW, its staff or its ability to deliver. Instead, they are designed to ensure that Wales has the best chance possible of halting and reversing the declines in biodiversity.

I would like to thank the committee for debating this petition and if you require any further information regarding this response please feel free to contact me.

Yours Faithfully



Robert

Robert Jones Parry
Chief Executive Officer
Initiative for Nature Conservation Cymru (INCC)
rob.parry@incc.wales

Mr Robert Jones Parry

Chief Executive Officer

Initiative for Nature Conservation Cymru

8 January 2021

Dear Mr Jones Parry,

Thank you for your letter, dated 4 January 2021, regarding INCC's recent petition (P-05-941) - Biodiversity Remit for Natural Resources Wales ('NRW').

The Petitions Committee wrote to the Climate Change, Environment and Rural Affairs Committee ('the Committee') to draw our attention to INCC's petition in the context of our work on biodiversity and rewilding. That work focussed on biodiversity and the green recovery, and biodiversity and rewilding in the context of the Welsh Government's future of land management policy proposals. It was time-limited, involving a one-off evidence session on 19 November 2020, and has now come to an end.

The Committee noted the Petitions Committee letter and INCC's petition at our meeting on 3 December 2020. Due to the Committee's current and anticipated work commitments, including those related to the on-going Covid-19 pandemic and matters arising from the UK's departure from the EU, we are not in a position to consider the petition.

You may be aware that the Committee holds regular scrutiny sessions with NRW, which cover a wide range of matters within NRW's remit, including its work to support the reverse of loss in biodiversity. The most recent session was held on 3 December 2020. A transcript of the session can be found on the [Committee's webpage](#).



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Once again, thank you for taking the time to write to us.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style with a large initial 'M'.

Mike Hedges MS

Chair of Climate Change, Environment and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg
We welcome correspondence in Welsh or English.



Lesley Griffiths MS

Minister for Environment, Energy and Rural Affairs

17 December 2020

Dear Lesley,

Committee's legacy work

As we are nearing the end of the fifth Senedd, the Climate Change, Environment and Rural Affairs Committee will soon begin work on its Legacy Report.

To help inform this work, we would welcome an update from you on progress in implementing some of the key recommendations we made in our reports to the fifth Senedd. A list of recommendations is attached to this letter.

Should you wish to provide an update on any other of our recommendations, please feel free to do so.

I should be grateful if you would provide a response as soon as possible, and by Friday **29 January 2021** at the latest.

Regards,



Mike Hedges MS

Chair of Climate Change, Environment and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg
We welcome correspondence in Welsh or English.



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Climate Change, Environment and Rural Affairs Committee: Key recommendations from reports in the Fifth Senedd

Title of report	Welsh Government response	Recommendations
<u>Report on the Welsh Government's Refreshed TB Eradication programme</u>	<u>Welsh Government response</u>	1, 2, 6 and 10
<u>Use of snares in Wales</u>	<u>Welsh Government response</u>	1, 2, 3 and 6
<u>Branching out: a new ambition for woodland policies</u>	<u>Welsh Government response</u>	2, 5, 8 and 9
<u>Feedback on the Welsh Government's draft National Marine Plan</u>	<u>Welsh Government response</u>	General views on progress to date
<u>Rethinking Food in Wales: Public Procurement of Food</u>	<u>Welsh Government response</u>	General views on progress to date
<u>Low Carbon Housing: the challenge</u>	<u>Welsh Government response</u>	1, 2, 3 and 7
<u>The impact of Brexit on fisheries in Wales</u>	<u>Welsh Government response</u>	1, 3, 6 and 7
<u>Rethinking Food in Wales: Food branding and processing</u>	<u>Welsh Government response</u>	General views on progress to date
<u>Report on policies and proposals relating to plastic pollution and packaging waste</u>	<u>Welsh Government response</u>	1, 6, 8, 9 and 10
<u>Report on environmental principles and governance post-Brexit</u>	<u>Welsh Government response</u>	4 and 25



<u>Report on the Welsh Government's progress on Marine Protected Area management</u>	<u>Welsh Government response</u>	1, 2, 5, 11 and 12
<u>Report on Fuel Poverty in Wales</u>	<u>Welsh Government response</u>	1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 15, 19 and 21



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