

Environment and Sustainability Committee

Meeting Venue:
Committee Room 3 – Senedd

Meeting date:
8 November 2012

Meeting time:
09:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

1. Introductions, apologies and substitutions

2. Inquiry into marine policy in Wales – Oral evidence (09.30 – 12.05) (Pages 1 – 110)

Pembrokeshire Coastal Forum & Severn Estuary Partnership (09.30 – 10.00)

E&S(4)–27–12 paper 1

E&S(4)–27–12 paper 2

Tonia Forsyth, Pembrokeshire Coastal Forum

Paul Parker, Severn Estuary Partnership

British Marine Aggregate Producers Association (10.00 – 10.30)

E&S(4)–27–12 paper 3

Mark Russell, Director, Marine Aggregates

David Harding, Welsh Secretary, Mineral Products Association

Break (10.30 – 10.35)

Welsh Fishermen’s Association (10.35 – 11.20)

E&S(4)–27–12 paper 4

Jim Evans

Sarah Horsfall

James Wilson

Welsh Yachting Association & Royal Yachting Association (11.20 – 12.05)

E&S(4)–27–12 paper 5

Steven Morgan, Welsh Yachting Association

Caroline Price, Royal Yachting Association

Break 12.05 – 13.00

3. Inquiry into marine policy in Wales – Oral evidence (13.00 – 14.30) (Pages 111 – 159)

The Crown Estate (13.00 – 13.30)

E&S(4)-27-12 paper 6

David Tudor, Senior Marine Policy & Planning Manager

Olivia Burgess, Marine Policy Adviser

Countryside Council for Wales (13.30 – 14.30)

E&S(4)-27-12 paper 7

Morgan Parry, Chair

Dr Mary Lewis, Marine Ecosystems Advice Manager

4. Papers to note (Pages 160 – 164)

Minutes of the meetings held on 4 & 18 October



Environment and Sustainability Committee
E&S(4)-27-12 paper 1
Marine Policy in Wales – Pembrokeshire Coastal Forum

Pembrokeshire Coastal Forum Fforwm Arfordir Sir Benfro

NATIONAL ASSEMBLY FOR WALES' ENVIRONMENT AND SUSTAINABILITY COMMITTEE INQUIRY INTO MARINE POLICY IN WALES

Submission by the Pembrokeshire Coastal Forum

Introduction

1. The Pembrokeshire Coastal Forum [PCF] appreciates the opportunity to give evidence to this inquiry, especially as the marine planning process has yet to commence and there are significant questions to be answered in terms of what the plan will actually look like and the process that will be followed.
2. The Forum's interest lies in the integrated planning and management of the sea and the way in which it is integrated with the land through Integrated Coastal Zone Management [ICZM], in particular the engagement of stakeholders in these processes, by providing a neutral forum for discussion and information exchange. Created more than 10 years ago, the Forum has pursued this interest in Pembrokeshire and nationally as a member of the Wales Coast and Maritime Partnership. Its membership is drawn from a wide range of interests – business, fishing, ports and shipping, energy, recreation and tourism, environment and local communities.
3. This evidence addresses the particular interests described above and will focus on three of the questions set out in the letter of 13 August 2012 seeking evidence. The questions are:
 - What progress has been made in relation to the development of marine spatial plans for Wales?
 - Whether the Welsh Government has sufficient financial and staff resources to deliver on its marine policy and legislation objectives?
 - Whether stakeholders have been sufficiently involved in the shaping of new policies and the development of legislation

We have been involved with the evidence submitted by the Wales Coast and Maritime Partnership and also work closely with the Severn Estuary Partnership. We commend their evidence to the Committee.

General concerns

4. Before looking at issues relating to marine planning the Forum would like to raise two points of more general concern about the wider context within which it will be developed. The first relates to the way in which the marine environment is considered

in Wales. In its responses to recent consultations on ‘Sustaining a living Wales’ and the ‘Single Environment Body’ [SEB], the Forum has felt it necessary to comment that neither document made it clear that natural resource management in Wales should involve both land and sea and that they should be seen as a continuum rather than two separate entities. Given that half of Welsh territory is made up of the sea, such a shortcoming does not bode well for securing an integrated approach to the planning and management of land and sea. In the case of the SEB it is not at all clear that its remit covers the marine environment. If the new body does not have a clear remit for the marine environment, the question has to be asked - what organisation will have that remit?

5. The second point of concern relates to the implementation and review of the ICZM Strategy for Wales. Published by the then Welsh Assembly Government in March 2007 it has yet to be reviewed. The last progress report related to 2008/9. The strategy was due for review in 2010 – as yet no review has taken place. The Welsh Government rightly stresses that the marine plan process should help achieve integration between land and sea. However, the ICZM strategy, which was prepared before the Marine Act was passed, contains many policies and actions which should also help to achieve integration. **The Forum believes that an urgent review of the strategy should be undertaken, taking into account the arrival of marine planning, so that it can dovetail with the marine plan process.**

The Marine Plan

6. More specifically PCF is concerned that it is still not known what form the plan will take and how it will relate to other plans and strategies, with three key questions still unanswered:
 - a. Will the plan be spatial or will it be policy based like the Marine Policy Statement?
 - b. Will there be more detailed plans for areas where there are many complex issues?
 - c. How will the marine plan relate to the natural resource plan proposed in the ‘Sustaining a Living Wales’ consultation? Will it be part of it or will it be subservient to it?

The Forum believes that a spatial approach is essential, especially at some local levels, where numerous complex issues need to be resolved. In responding to the WAG consultations on marine planning last year and on ‘Sustaining a Living Wales’ this year the Forum emphasised how such an approach would be important in Pembrokeshire; an area that has:

- a. A major port
- b. Significant resources for marine renewable energy
- c. Important inshore fisheries
- d. UK’s only National Park based solely on its coast and its links with the sea

- e. An internationally renowned natural environment on land and at sea; and
- f. A major tourist industry that is based on the enjoyment of that high quality environment

Yet there is no overall framework for planning and managing these special resources and the interaction of these activities with them.

Stakeholder Engagement and Marine Planning

7. The Forum appreciates that the formal process has yet to start. However, there are issues which need to be addressed in advance so that preparations can be made. It is also clear to the Forum that the preparation of the marine plan is not a one-off event. The Marine Act makes it clear that plans should be reviewed on a regular basis. Accordingly, preparation of the plan, its implementation and its review will be an ongoing affair. **There is a great deal to be done, therefore, to devise and put in place the mechanisms through which all the right people and organisations are engaged in the process and come to own it. Thus far there is little progress to report.**
8. It is in this context that the Forum wishes to focus its evidence by stressing the importance of stakeholder participation in the plan process that is obligatory under the Marine Act, and the role that Coastal Partnerships [CPs] can play in securing buy in to the process and the plans.
9. In January 2012 PCF, together with the Severn Estuary Partnership [the two coastal partnerships in Wales] prepared a paper ‘Welsh Coastal Partnerships: current and potential role in marine planning and ICZM’, in anticipation of the start of the marine planning process in Wales. The Report is set out in full in the annex to this submission.
10. From the outset the Report welcomed the stated intention of the Welsh Government to engage local communities in the planning process. In doing so, it went on to stress that CPs are uniquely placed to assist in the engagement process and help to deliver marine planning and ICZM at a local level on account of their:
 - a. Knowledge and expertise
 - b. Experience of a wide range of means of engaging with local communities
 - c. Access to many networks locally, nationally and internationally
 - d. Knowledge of land and sea integration
 - e. Ability to co-ordinate across borders
 - f. Active promotion of an integrated approach to the coastal zone over the last 10 years or so; and above all their
 - g. Neutral stance, which has brought opposing factions to the table and engendered greater understanding amongst stakeholders

These attributes were acknowledged in the ICZM Strategy for Wales, but apart from the work of the two partnerships little has been achieved in this field. It is our firm belief that the above attributes could be of great value to the Welsh Government in its quest to engage with local communities, not only in the marine plan process but in the ongoing ICZM process too.

11. The Report recommended early dialogue between the two Partnerships and the Welsh Government. In his letter of 15 March 2012 following receipt of the paper the Minister, John Griffiths said:

“I recognise the valuable work that coastal partnerships undertake in Wales and welcome your enthusiasm in taking marine planning forward.

The Welsh Government’s aim is to develop the first national marine plan for Welsh seas by 2014/15. We are currently considering the arrangements we need to have in place in order to help us achieve this, which will include the contribution and role that coastal partnerships could make and play”

12. A meeting with the Minister to discuss this potential contribution and role is expected in the autumn of 2012. The key issues that need to be discussed are:

- a. **The attitude to public / community engagement** – there is all too often an attitude that engagement and consultation are necessary evils rather than genuine means of helping to develop plans and to implement them. They are seen as one-off exercises rather than the building of long-term relationships needed for the integrated planning and management of our key resources. CPs like PCF and SEP can play a central role in developing those long-term relationships to underpin marine planning. Sections 4 and 5 of the Report show how they already have many of the necessary relationships in place. However, it will be important for WG to be clear about wanting those relationships too and to provide the necessary brief and resources for the CPs to play a much expanded and long-term role.
- b. **The extent of engagement that can be achieved in the relatively short time allowed for the preparation of the plan** – the Forum’s experience is that it takes considerable time [years] and resources [especially staff] to make a real impact and to build up the necessary relationships. It will be important, therefore, for the WG to have realistic ambitions for engaging local communities
- c. **The provision of resources for CPs to undertake significant extra work on marine planning** – Section 6 of the Report addresses the question of the resources available to CPs pointing out that currently their resource base is very limited, that they receive no core funding and are dependent on a wide range of sources. CPs are actively seeking new sources of funding for their wide range of activities. However, if they are to play the role in marine planning for which they are ideally suited and for which the Welsh Government appears to be enthusiastic for them to play, funding will have to be forthcoming from the Government.

- d. **The coverage of the Welsh Coast by Coastal Partnerships** – at present CP coverage is limited to Pembrokeshire and the Severn Estuary. In their consultation on marine planning last year WG indicated its intention to facilitate the establishment of CPs in North and West Wales. Whilst this would be a welcome development, the experience of the existing CPs shows that not only does it take time and money to develop but also the necessary driving forces need to exist. In the cases of both the Severn Estuary Partnership and our own Forum in Pembrokeshire they were established in response to a range of issues and by organisations/people that had the vision to tackle them in an integrated way. In Pembrokeshire, for example, the National Park and the Milford Haven Port Authority were key organisations in enabling the Forum to flourish as it has. Thus in looking to fill the gaps
- it will be important to understand why it has not been done before. The absence of CPs may well reflect the lack of issues to be addressed and/or of an organisation [s] or people to drive their development.
 - it will also be important to consider whether the existing CPs could extend their coverage and whether existing networks and partnerships related to coastal protected landscapes and marine SACs could be developed further to perform the CP role in the North and West Wales.

If the gaps were filled there would be considerable opportunities for working together and making the best use of limited resources, for example through sharing skills and information. In this context consideration should be given to the role of WCMP in relation to CPs.

Resources for Marine Planning

13. The Forum is concerned that there are insufficient resources - both staff and money - in the Welsh Government to undertake the plan preparation, especially if proper engagement is undertaken [not just consultation] and if the plans are spatial. We understand that the WG is looking to form interdepartmental team to assist with the process. Whilst we would welcome such a move, it is unlikely to solve the resource issue unless staff were wholly devoted to marine planning. Further there is a danger that such an approach could fall into the trap of developing the plan as a series of topic silos rather than a fully integrated approach. In this context we understand that the MMO in England has had some 20 people devoted to the plan for Eastern England. The seeming lack of resources, especially in terms of staff, in the WG, makes it all the more important for WG to foster the development of the capacity of coastal partnerships to deliver stakeholder engagement on its behalf.

Stakeholder engagement

14. Finally, with respect to stakeholder engagement, the Forum has been involved in the development of the marine plan process through its membership of the Wales Coast and Maritime Partnership. Whilst those opportunities are much appreciated, the

Forum is disappointed with the lack of progress since the consultation on marine planning held in April 2011. After so much effort had been put in by members of WCMP the absence of any response is perplexing and, as our evidence has shown, there are still many questions in the air and much preparatory work to be done, not least in the field of stakeholder engagement. Whether the engagement of stakeholders has reached further than a relatively small group of national organisations, mainly members of WCMP, is questionable. There is no doubt that it will have to be much broader once the planning process gets underway. Our recent experience in assisting the Welsh Government in the consultation on MCZs shows that it will have to be undertaken as early as possible in the process to gain buy in. We hope that the kind of approach used by Coastal Partnerships can be used to full effect to draw in that wider range of stakeholders.

15. The Forum would be happy to discuss any of these points with the Committee.

ANNEX

WELSH COASTAL PARTNERSHIPS

Current and potential role in marine planning and ICZM

**Prepared by Pembrokeshire Coastal Forum and
the Severn Estuary Partnership**



Pembrokeshire Coastal Forum
Fforwm Arfordir Sir Benfro

January 2012

Contents:

1.0 Introduction:	9
2.0 Why Coastal Partnerships?	9
3.0 Knowledge & Expertise	10
4.0 Networks	10
5.0 Integrated Marine Policy Engagement	11
6.0 Resources	11
7.0 Coverage	12
8.0 Coastal Partnership Capacity	12
9.0 Communication Methods	13
Consultation Discussions	13
Debates	13
Conferences / Seminars	13
AM's event	13
Coastal Surgeries.....	13
Coastal Panels	14
Schools Project.....	14
Schools Workshops	14
Newsletters	14
Local Media	14
Utilisation of existing Partnership events and networks.....	14
Marketing materials.....	15
Partnership Website	15
Proposed: Interactive Web based stakeholder engagement toolkit.....	15
10.0 Summary and proposed way forward	16
11.0 Additional Information:	16

1.0 Introduction:

The following paper has been prepared by Pembrokeshire Coastal Forum (PCF) and the Severn Estuary Partnership (SEP), in anticipation of the start of marine planning in Wales. Following consultation on the Welsh approach to marine planning in spring 2011 and continued dialogue with Welsh Government Officers through the Wales Coastal Maritime Partnership, we understand that it is the aim of the Welsh Government to engage local communities in the planning process. We strongly support this approach and believe that Coastal Partnerships are uniquely placed to assist in the engagement process and help to deliver marine planning and ICZM on a local level. The following paper outlines the strengths and benefits of this Partnership approach and highlights areas where both PCF and SEP can add value to the marine planning and ICZM process in Wales.

Coastal Partnerships (CPs) operate as key delivery agents for Integrated Coastal Zone Management and embody the Ecosystems Approach to marine resource management that underpins the Marine and Coastal Access Act 2009 (MACAA). Where they exist, Coastal Partnerships lie at the heart of coastal management, implementing the European ICZM principals thus facilitating integration at the land and sea interface. Their networks, contacts and experience are unrivalled; their social capital and influence has no comparable model. Together they represent a unique and vital resource that is perfectly placed to play a central role in the development and delivery of marine management practices around the coast. CPs were established to deliver neutral, impartial and independent stakeholder engagement on marine and coastal matters across the UK and have been publicly funded for well over a decade to do so. With the Marine and Coastal Access Act 2009 comes a significant opportunity for Welsh Government (WG) to support and utilise the expertise that these partnerships have developed and engage with the extensive stakeholder and community networks that have been created.

2.0 Why Coastal Partnerships?

Coastal Partnerships operate at a number of institutionally different levels. In order to be effective the delivery of marine planning and other key marine policy initiatives will require a multi-layered approach, and will depend on strong working relationships between the many different partnerships/delivery agents involved. This layering of information makes for a highly complex system. Due to the cross sectoral nature of coastal and marine issues, a systems based approach to marine planning is required.

The broad 'vertical' mixing of all coastal interests that is seen in Coastal Partnerships makes them vital fulcrums for discussion, communication and action. Therefore putting CPs to work effectively to assist with marine planning and other resource management processes could be essential for the success of the process and as a means of keeping

costs, duplication and stakeholder burn-out to a minimum, at a time when such 'waste' is being intensely scrutinised by government. Other coastal/maritime groups and networks exist and contain similar members - for example Shoreline Management Planning, Local Authority groupings and Coastal Protection - however their focus is often narrow and sector specific. The membership of CPs is cross cutting, representative and unique, with representatives from Local Government, Statutory Agencies, industries, local communities and interest groups, all sitting around the same table. Perhaps most importantly coastal partnerships offer a neutral and trusted forum for discussion and dissemination, with extensive and well established networks.

3.0 Knowledge & Expertise

With a coastal and marine focus, CP's have considerable knowledge and understanding of UK and EU marine and coastal policy. They are generally established in areas of high nature conservation value and intense economic activity where there is a need for integration and collaboration. Due to this, they tend to focus in particular on the enormously complex interactions between land and sea as well as cross sectoral and inter-sectoral relationships between the broad range of agencies involved in the use and management of UK coastal areas. CP's also offer significant neutral coordination, which in turn aids integration between administrations and stakeholders in cross boundary areas such as the Severn Estuary.

4.0 Networks

Coastal Partnership networks extend well beyond the coastal areas they operate in, particularly due to the fact that management of the coast ranges from local through to international organisations. They have strong working relationships with UK and devolved governments and this extends across a number of departments due to the range of projects and activities they are involved in. E.g., Pembrokeshire Coastal Forum's [Marine Energy Pembrokeshire](#) project has strong links with Business Energy Technology and Science and Sustainable Energy Industry Wales departments in Welsh Government as well as DECC in UK Government. Their Wales Activity Mapping project covers five local authority areas including Pembrokeshire.

Coastal partnerships have also developed EU networks through the broad range of European projects they tend to participate in. This aids the development and sharing of best practice on a variety of coastal and marine management aspects and is recognised as good practice by the European Commission. The Severn Estuary Partnership has been actively involved in numerous European Projects, including the INTERREG IVB Innovative Management for Europe's Changing Coast Resource project ([IMCORE](#)) and more recently the INTERREG IVC Project, [DeltaNet](#).

Recognising the challenges of marine planning and integrated coastal management, sharing of best practice is common place within the UK [Coastal Partnerships Network](#) (CPN) and this can be of great value, particularly to peripheral, remote coastal

communities. Learning from others can significantly reduce time and costs and can lead to the development of long term and positive projects and alliances. The CPN approach aids standardisation between CPs around the UKs coast and helps to develop common resources for all.

Similarly, PCF and SEP are members of the Wales Coastal Maritime Partnership (WCMP) and

Support proposed moves to increase its capacity through the appointment of a dedicated full time officer. By providing a Welsh coordinating and communication role and national focus on policy issues this would allow PCF and SEP to concentrate on local engagement delivery. Furthermore, it also presents real opportunities for provision of centrally co-ordinated services (newsletter, database, interactive website etc.) to enable consistency and cost savings across Wales.

5.0 Integrated Marine Policy Engagement

Historically stakeholder consultations tend to be policy led, single issue, one-off events with limited feedback. The Marine and Coastal Access Act 2009 has instigated an enormous volume of coastal policy changes with strong emphasis on wide stakeholder engagement to include NEF, Marine Planning, MCZ's, Marine licensing, SMP's, WFD etc. Communities and interest groups are increasingly expected to participate in and respond to often complex and very time consuming exercises at their own expense. This has led to real confusion over the relationships between policies (not just for communities) and considerable consultation fatigue. This is a serious concern for the Wales, particularly due to the fact that the implications of many of these policy changes can have major consequences for communities.

CPs are uniquely placed to engage all relevant stakeholders from local communities to practitioners and policy makers. Partnerships have extensive contact databases and good working rapport with key stakeholders. They have developed long term relationships with coastal communities built on trust and understanding due to their impartiality and independence. Communications are ongoing and targeted, with a wide range of engagement mechanisms used to reduce the burden on stakeholders. Due to their knowledge and expertise, partnerships can translate the wide range of coastal policy to ensure it is locally focused, meaningful and clearly understood. In order to do this however, coastal partnerships must be adequately resourced.

6.0 Resources

Currently, Coastal Partnerships do not receive core funding but are funded through a wide range of complex mechanisms ranging from private sector corporate and community responsibility budgets through to statutory bodies, grant funding, European project funding and membership fees/contributions. SEP and PCF have over 30 different funders each, all with differing administrative priorities which presents a

significant administrative burden for both parties. Marine and coastal activities operate across government bodies and there is growing interest in utilising the services of Coastal Partnerships for specific activities and projects such as [Wales Activity Mapping](#). If a more integrated approach was taken, sharing costs across departments, and if Coastal Partnerships were funded directly from government rather than through a plethora of government agencies this could provide a very significant cost reduction for both Coastal Partnerships and government. CP networks would grow exponentially with increased use and their value to government would increase over time. Government could make use of this “ready-made and trusted” relationship with communities when necessary, but ongoing resources would be required to maintain the networks and dialog.

To ensure that inclusive and extensive stakeholder engagement is undertaken by private sector companies, government agencies could place a condition on planning and consenting that CPs are liaised with during the application process through sub-contractual arrangements. This would allow CP’s to extend their networks further and draw in other funding for their work thus reducing support required from government. Furthermore, the use of CP services for stakeholder engagement exercises would not only be more cost effective (as much of the ground work would already be done) but it would also support CP’s other sustainable coastal management activities and projects due to their ‘not for profit’ status. These additional sources of private sector funding would enable match funding for EU and other grant funding applications, thus enhancing Partnerships capacity.

7.0 Coverage

In Wales at present, CP coverage is limited to Pembrokeshire and the Severn Estuary. Both PCF and SEP recognise the difficulty this presents for government who need to be consistent in their approach across Wales. Both partnerships would welcome dialogue with Welsh Government to explore potential avenues to fill these gaps, including the development of the national WCMP. SEP & PCF have the potential to expand their remit and already operate in other areas with reference to particular activities such as Energy and Education. In order to address the lack of coverage in North Wales, a review of existing partnerships and their coverage needs to be carried out to see if they could be used and possibly broadened to take on this role. Terms of reference for CP’s in Wales could be developed to ensure they meet government needs and are consistent.

8.0 Coastal Partnership Capacity

PCF are currently exploring the recruitment of field officers who would work on an ad-hoc self employed basis. In addition, they are in discussion with other local stakeholder engagement agencies and UK coastal partnerships to establish shared staffing arrangements. This will result in Coastal Partnerships being able to provide increased capacity and consistency.

9.0 Communication Methods

Current communication methods which Coastal Partnerships regularly use are outlined in Table One (For full web address against each hyperlink please see Table Two). PCF and SEP would welcome further discussions with Welsh Government to explore which methods may be of interest and identify capacity and coverage needs.

Table One – PCF & SEP Current communication methods

Communication Method	Brief Description	Example
Consultation Discussions	Round table discussions with consulter and key stakeholders to enable Q & A and more informed individual organisational responses.	Joint Advisory Committee Meetings
Debates	Speakers representing a range of views come together with the public to discuss specific topics with a panel of experts taking questions from the floor. If possible this could be filmed and placed on the website.	PCF Debates
Conferences / Seminars	Covering a range of topical coastal maritime themes and either targeted at specific stakeholders or open invitation to anyone with an interest. Generally encourage WG to provide policy context and include Q & A sessions. A workshop to explore specific issues could form part of this.	Marine Renewable Seminar Severn Estuary Forum
AM's event	Specific events to raise awareness and understanding of MCZs, and other coastal and maritime topics to local politicians. Taking AM's out to potential sites is beneficial to enhance understanding, leading to greater buy-in.	
Coastal Surgeries	community groups / public / stakeholders are invited to come to a central location to discuss issues in an informal environment with facilitators and relevant organisations. This is likely to be popular with those less comfortable with discussing issues in an open forum. The surgeries can be more structured if necessary with individuals booking slots. Consideration needs to be made to the type of stakeholder you are engaging with and there likeliness of being able to attend e.g. meetings in pubs in the evening has proved popular with fishermen.	PCF Coastal Surgeries

Coastal Panels	A group of “experts” go into a community and invite members of the public to come and discuss policy proposals. Experts would need to represent a wide range of interests at the proposed site. The use of neutral facilitators is essential.	
Schools Project	Both PCF and SEP have significant experience of designing and running school educational workshops and would suggest that this would be a good way of communicating the Marine Planning process and associated themes to young people in Wales. PCF have already established the very successful Future Coasts schools project which could be expanded across Wales.	Future Coasts YoCCo
Schools Workshops	SEP have recently developed (in association with the INTERREG IMCORE Project and Beacons YoCCo project) an education pack for Key stage 4 on Adapting to Climate Change in Wales.	YoCCo
Newsletters	These are produced monthly and disseminated widely. They tend to provide latest news on a range of coastal and marine issues and grouped according to areas of interest e.g. marine energy. Severn Estuary Partnership E-News & Pembrokeshire Coastal Forum E-News both currently circulated to approx 1000 individuals representing over 500 organisations.	Pembrokeshire Coastal Forum E-News Severn Estuary Partnership E-News Severn Tidings
Local Media	PCNPA Coast to Coast, local papers, local radio, all to be directed to information points (e.g. interactive website - see below).	PCNPA Coast to Coast SEP/PISCES Publicity video
Utilisation of existing Partnership events and networks	Local Coastal Partnerships host a number of engagement events throughout the year such as annual forums, Joint Advisory Committees, Management Groups, Task Groups and Coastal surgeries. Partnerships actively develop links with other organisations under the Partnerships umbrella such as Coastal Groups and European Marine Site Networks. Engagement with CP’s provides access to these well established and successful forums.	SEP Diary SEP Who’s Who SEP Gateway

Marketing materials	To include leaflets, fact sheets, display boards etc.	SEP Marketing Materials: Marketing Brochure , Guidance Notes , Newsletter PCF materials online: Fact Sheets , Marine-Energy Pembrokeshire Leaflet
Partnership Website	Individual CP websites and associated E-News offer a direct conduit for the dissemination of information to a wide ranging, cross sectoral audience.	SEP Website PCF Website
Proposed: Interactive Web based stakeholder engagement toolkit	At the heart of stakeholder engagement there needs to be an interactive web based information source which is very user friendly, accessible and relevant to a range of audiences. It needs to use the latest technology to enable voting on issues, video links / YouTube for providing information rather than just text and links to Facebook, Twitter, QR codes, blogs etc. Included should also be template presentations for different audiences; including schools, fact sheets, Frequently Asked Questions etc. It would need to provide information on the range of organisations involved in management of the coast, roles and responsibilities, laws / bylaws, contacts, consultations and relationships between the whole suite of consultations / policies and plans to increase understanding and reduce confusion. It would be beneficial if this website was hosted by a neutral organisation (WCMP) and presented the full range of views.	Potential role for coordination from WCMP

10.0 Summary and proposed way forward

The above document outlines some of key opportunities and benefits that Coastal Partnerships can offer in terms of Stakeholder Engagement throughout Marine Planning and the associated implementation work. The key benefits of Partnership working delivered by both PCF and SEP are:

- Knowledge and expertise
- Experience of a wide range of means of engaging with local communities
- Access to many networks locally, nationally and internationally
- Land – Sea Integration
- Cross border coordination
- Active promotion of an integrated approach to the coastal zone over the last ten years or more; and above all
- Neutral stance, which has brought opposing factions to the table and engendered greater understanding amongst stakeholders.

Both PCF and SEP would welcome early dialogue with Welsh Government to explore the opportunities presented by local coastal partnerships and the benefits they can offer to the Welsh Government. An early, open and transparent dialogue will allow capacity to be built and mechanisms to be put in place to aid communication and engagement through the marine planning process as soon as planning begins. However in order to achieve this it is vital that steps are taken now to ensure all parties are prepared. We would therefore recommend that initial discussion points should include:

- The role and remit of Welsh Coastal Partnerships in Marine Planning and ICZM in Wales (including WCMP)
- Potential review of existing coastal partnerships and their coverage and remit (Jointly with CPN/MMO)
- Resourcing and capacity of existing local coastal partnerships
- Timescales

Should you require any additional information or to arrange a meeting to explore these ideas further, please do not hesitate to contact Tonia Forsyth, Pembrokeshire Coastal Forum (Tel: 01646 696173 Email: tforsyth@mhpa.co.uk) or Paul Parker, Severn Estuary Partnership (Tel: 02920 874713 Email: Parkerpr@cardiff.ac.uk)

11.0 Additional Information:

For further information on the range of activities that Pembrokeshire Coastal Forum is involved in please follow the link to the website and Business Plan:

<http://www.pembrokeshirecoastalforum.org.uk/resources>

Or alternately take a look at each of the PCF project websites:-

1. Marine Energy Pembrokeshire www.marineenergypembrokeshire.org.uk
2. Pembrokeshire Outdoor Charter www.pembrokeshireoutdoorcharter.org.uk
3. Pembrokeshire Marine Code www.pembrokeshiremarinocode.org.uk
4. Wales Activity Mapping (formally known as Recreation audit) www.walesactivitymapping.org.uk
5. We are currently expanding our Future Coasts Buzz Schools Challenge project which will have its own website but is currently hosted on PCF's site www.pembrokeshirecoastalforum/buzz.org.uk

For further information on the range of activities that the Severn Estuary Partnership is involved in please follow the link to the website and Business Plan:

<http://www.severnestuary.net/sep/>

<http://www.severnestuary.net/sep/partnership.html>

Or alternately explore the following specific projects:

1. State of the Severn Estuary Report <http://www.severnestuary.net/sep/publications/soser.html>
2. Severn Estuary Forum <http://www.severnestuary.net/sep/forum.html>
3. Innovative Management for Europe's Changing Coastal Resource <http://www.severnestuary.net/sep/imcore/index.html>
4. DeltaNet <http://www.severnestuary.net/sep/partnership/deltanet.html>
5. The All-Wales Young People's Climate Change Forum <http://www.yocco.org>

The Severn Estuary Partnership also hosts the Severn Estuary Gateway website which is a portal into numerous management organisations around the Severn and contains a plethora of information and resources. <http://www.severnestuary.net> Linked organisations/projects include:

1. Association of Severn Estuary Relevant Authorities
2. Severn Estuary Coastal Group
3. Severn Estuary Flood Risk Management Strategy
4. Bristol Channel Standing Environment Website
5. Severn Estuary Partnership

Table Two – Full web address for hyperlinks in Table One

Hyperlink	Full Web Address
Joint Advisory Committee Meetings	http://www.severnestuary.net/sep/partnership/jac.html
PCF Debates	http://www.pembrokeshirecoastalforum.org.uk/resources/events/
Marine Renewable Seminar	http://www.marineenergypembrokeshire.co.uk/about/pembrokeshire-mre-seminar
Severn Estuary Forum	http://www.severnestuary.net/sep/forum.html

PCF Coastal Surgeries	http://www.pembrokeshirecoastalforum.org.uk/resources/coastal-surgeries/
Future Coasts	http://www.pembrokeshirecoastalforum.org.uk/marine-conservation-zones/
YoCCo	http://www.severnestuary.net/yocco/index.html
YoCCo	http://www.severnestuary.net/yocco/index.html
Pembrokeshire Coastal Forum E-News	http://www.pembrokeshirecoastalforum.org.uk/resources/enews/
Severn Estuary Partnership E-News	http://www.severnestuary.net/sep/whatsnew/archive.html
Severn Tidings	http://www.severnestuary.net/sep/publications/newsletters.html
PCNPA Coast to Coast	http://www.pembrokeshirecoast.org.uk/default.asp?PID=90
SEP/PISCES Publicity video	http://www.projectpisces.eu/about_us/sharing_what_we_learn/case_study_films/
SEP Diary	http://www.severnestuary.net/sep/partnership/diary.html
SEP Who's Who	http://www.severnestuary.net/sep/whoswho.html
SEP Gateway	http://www.severnestuary.net/
SEP Marketing Materials: Marketing Brochure , Guidance Notes , Newsletter	http://www.severnestuary.net/sep/pdfs/sepmarketingbrochure.pdf http://www.severnestuary.net/sep/publications/guidancenotes.html http://www.severnestuary.net/sep/publications/newsletters.html
PCF materials online: Fact Sheets , Marine-Energy Pembrokeshire Leaflet	http://www.pembrokeshireoutdoors.org.uk/wp-content/uploads/2011/01/MCOCFactSheets.pdf http://www.marineenergypembrokeshire.co.uk/wp-content/uploads/2010/03/Marine-Energy-Pembrokeshire-Leaflet.pdf



17th September 2012

**National Assembly for Wales' Environment and Sustainability Committee Inquiry into
Marine Policy in Wales
Response from the Severn Estuary Partnership**

The Severn Estuary Partnership (SEP) is pleased to have the opportunity to submit evidence to this enquiry especially in terms of the marine planning process, stakeholder engagement, resources and cross border relationships.

Set up in 1995, the Severn Estuary Partnership is an independent, estuary-wide non-statutory initiative led by local authorities and statutory agencies. We work with all those involved in the management of the estuary, from planners to port authorities, fishermen to farmers and many more with an interest in the future of the estuary.

The Partnership brings people together to resolve problems and realise opportunities. We currently:

1. Facilitate effective communication across and between organisations and individuals
2. Establish and embed a set of 'common principles' for sustainable estuary use via Partners' strategies, policies and action plans
3. Act as a co-ordinating body to assist the effective and efficient delivery of agreed estuary-wide actions
4. Promote and publicise the estuary at local, national and international level
5. Add value and fill gaps in effective estuary management, providing extra capacity when required.

Given our partnership remit, our primary interest is in ensuring that all marine (specifically Severn related) stakeholders are fairly represented, play active roles and are appropriately supported so they can engage in an informed way. We also stress the significance of mechanisms being in place to support working jointly in cross-boundary areas. The integrated planning and management of the sea and its relationship to the terrestrial environment through Integrated Coastal Zone Management (ICZM) is also of paramount interest to the Partnership.

The SEP has been actively involved in the development of the evidence submitted by the Wales Coastal Maritime Partnership (WCMP) and would fully support all comments submitted by the WCMP. The Partnership also endorses the evidence submitted by the Pembrokeshire Coastal Forum.



SEP's response focuses on the following 4 questions posed in the letter of 13 August 2012 requesting data on:

- What progress has been made in relation to the development of marine spatial plans for Wales?
- Whether there is sufficient cooperation and coordination between the Welsh Government and its neighbouring administrations in relation to the management of its seas?
- Whether the Welsh Government has sufficient financial and staff resources to deliver on its marine policy and legislation objectives?
- Whether stakeholders have been sufficiently involved in the shaping of new policies and the development of legislation?

The following points summarise the Severn Estuary Partnership's responses to the key questions outlined above:

1. What progress has been made in relation to the development of marine spatial plans for Wales?

The SEP has been involved in various elements relating to marine policy in both Wales and England since the Partnerships conception in 1995. In particular SEP were heavily involved (through the WCMP) in the development of the Welsh Integrated Coastal Zone Management (ICZM) Strategy in 2007 and helped to draft the Welsh ICZM progress indicator set. The last progress report related to 2008/9. The strategy was due for review in 2010 – as yet no review has taken place. The Welsh Government rightly stresses that the marine plan process should help achieve integration between land and sea. However, the ICZM strategy, which was prepared before the Marine Act was passed, contains many policies and actions which should also help to achieve integration. The SEP believes that an urgent review of the strategy should be undertaken, taking into account the arrival of marine planning, so that it can dovetail with the marine plan process. To this end SEP notes the European Commission and European Directorate General Environment's continued interest in and promotion of ICZM and suggest that development of the Welsh marine plan process should be mindful of any future lessons and guidance from Europe on ICZM.

More recently the SEP sat on WCMP's marine planning working group who helped to develop the Welsh Government's consultation on its approach to marine planning in Welsh Waters – '*Sustainable development in Welsh Seas: Our approach to marine planning in Wales*'. The consultation outlined Welsh Government's intention to create a national plan in Wales, with additional detail being added where necessary. The consultation asked for views on this approach; however no feedback from the consultation has yet been published.

Since this consultation and the adoption of a UK wide Marine Policy Statement (adopted by all four UK administrations) no further progress on marine spatial planning in Wales had been made and SEP are unaware of any announcements explaining this lack of progression. It has been suggested that the lack of progress is due to the need for legal clarification around the requirements of the Marine Act 2009 and also contributed to by the lack of resources currently available to Welsh Government's Marine Team. The SEP is concerned that this lack of progression and adequate resourcing will lead to severe implications for cross border planning between England and Wales in the Severn

The Severn Estuary Partnership involves local authorities, other organisations and users of the estuary working together to ensure that the estuary remains a resource of great value throughout the 21st century



Estuary region. We would therefore strongly request some clarity on the status and planned timescales of the marine planning process in Wales, including a formal response to the 'Sustainable development in Welsh Seas: Our approach to marine planning in Wales' consultation. Clarity and a clear forward timeframe will help Partnerships and stakeholders prepare to input into marine planning, aiding the efficiency of the process.

2. Whether there is sufficient cooperation and coordination between the Welsh Government and its neighbouring administrations in relation to the management of its seas?

The SEP deals with the everyday reality of working on a cross border estuary. The Partnership therefore wishes to stress the importance of managing the Severn from an ecosystems based approach and working in close partnership with the MMO and Defra as stated in our responses to: 'Sustaining a Living Wales – A Green Paper on a new approach to natural resource management in Wales' and the 'Consultation on Natural Resources Wales: Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources'.

The Partnership acknowledges that the Welsh Government is '*committed to planning as jointly as possible with the MMO for these areas and to use crossborder stakeholder groups to support joint planning. We will look to establish formal working arrangements to take this forward – for example by means of a concordat. We are already working on a marine planning concordat with Defra, as the lead UK Government department, which will set out the framework for administrative co-operation and management of the marine area.*'¹ We would however, request additional clarity and supporting timeframes where possible. Furthermore, SEP would support the urgent development of formal concordats with the MMO and Defra at cross-border areas. We are concerned that these concordats have not yet been developed / communicated despite the promise within the consultation document last year.

3. Whether the Welsh Government has sufficient financial and staff resources to deliver on its marine policy and legislation objectives?

It is clear that in order to implement the emerging marine legislative framework, there is a need for additional resources within the Welsh Government marine team to fully address these complex issues, not least to aid the development of marine planning. It has become apparent from past consultations such as the recent MCZ consultation, that there are insufficient resources to deal sufficiently with the emerging workloads. SEP would therefore suggest that it would be beneficial to expand current resources, however we appreciate the challenges in the current financial climate. To this end, SEP would like to recommend that the Welsh Government considers further utilisation of Partnership services (including SEP, WCMP and PCF) to help assist in the marine planning process, not least in the delivery of effective stakeholder engagement. The ability of Partnerships to deliver these services was proven towards the latter stages of the MCZ consultation process where SEP and PCF joined forces to deliver two public engagement events, in what had become very challenging circumstances. SEP would

¹ Welsh Assembly Government - Sustainable Development for Welsh Seas: Our Approach to Marine Planning in Wales - 2011



welcome early conversations and additional resources to allow better and earlier stakeholder engagement services to be provided throughout the marine planning process.

There is a great deal of work to be done, however SEP believes that now is the time to put in place the mechanisms through which the right people and organisations can be engaged in the process. To this end, SEP and PCF (the two CPs in Wales) wrote to the Environment Minister, John Griffiths, to stress the importance of stakeholder participation which is obligatory under the Marine Act. The Paper, *Welsh Coastal Partnerships, current and potential role in marine planning and ICZM*, stressed the role that CPs can play in securing buy in to the marine planning process. A copy of the full paper can be found appended to this document.

The report praised the intention of the Welsh Government to engage local communities in the marine planning process. It stressed that CPs are uniquely placed to assist in this engagement process and help to deliver marine planning and ICZM on a local scale due to their:

- a. Knowledge and expertise
- b. Experience of a wide range of means of engaging with local communities
- c. Access to many networks locally, nationally and internationally
- d. Knowledge of land and sea integration
- e. Ability to co-ordinate across borders
- f. Active promotion of an integrated approach to the coastal zone over the last 10 years or so; and above all their
- g. Neutral stance, which has brought opposing factions to the table and engendered greater understanding amongst stakeholders

These attributes were acknowledged in the ICZM Strategy for Wales, but apart from the work of the two partnerships little has been achieved in this field. It is our firm belief that the above attributes could be of great value to the Welsh Government in its quest to engage with local communities, not only in the marine plan process but in the ongoing ICZM process too.

The Report recommended early dialogue between the two Partnerships and the Welsh Government. In his letter of 15 March 2012, following receipt of the paper, the Minister, John Griffiths said:

"I recognise the valuable work that coastal partnerships undertake in Wales and welcome your enthusiasm in taking marine planning forward."

"The Welsh Government's aim is to develop the first national marine plan for Welsh seas by 2014/15. We are currently considering the arrangements we need to have in place in order to help us achieve this, which will include the contribution and role that coastal partnerships could make and play"

In a similar but parallel process, the MMO have recently commissioned a report from the National Coastal Partnership Network (CPN) (of which the SEP Manager is currently Chair) to provide a technical analysis of the levels of activity and engagement within CPs and identify gaps in spatial coverage around England in relation to the current and proposed MP areas. In addition, the report aims to describe the potential of CPs to

The Severn Estuary Partnership involves local authorities, other organisations and users of the estuary working together to ensure that the estuary remains a resource of great value throughout the 21st century



contribute to communications on marine planning and recommend proposals for future engagement. In addition to this document the value of CPs and the services they provide were examined and where possible quantified in the Defra commissioned Financial Benefits project taken forward by Defra in 2008; and were later summarised in the document '*Profiting from Partnership – putting a price on member benefits*'.

Although the MMO commissioned report is still awaiting sign-off it is envisaged that a copy of both documents can be made available to the committee if necessary.

Further to this work, we would welcome a meeting with the Minister to discuss CPs potential contribution to marine planning in Wales. Key topics that need discussing include:

- The attitude to public / community engagement
- The extent of engagement that can be achieved in the relatively short time allowed for the preparation of the plan
- The provision of resources for CPs to undertake significant extra work on marine planning
- The coverage of the Welsh Coast by Coastal Partnerships
- The relationship of the Welsh Government and the Coastal Partnership Network

Additional detail on many of the above topics can be found as part of Pembrokeshire Coastal Forum's submitted evidence

4. Whether stakeholders have been sufficiently involved in the shaping of new policies and the development of legislation?

SEP have sat on the Stakeholder and Citizen Engagement Group and Marine planning working group for Welsh Government and WCMP and feel that we have been engaged in the development of marine policy and legislation in Wales. However as stated in section three of this evidence, SEP feel that local level engagement is paramount to the success of the Marine Planning process and feel that early and comprehensive engagement is necessary to avoid similar issues to those that arose around the MCZ consultation. We would therefore recommend that additional resources are made available for local engagement, clear timeframes and associated communications are circulated and local CPs are utilised where available to ensure a successful and efficient engagement process, which in turn will lead to a more effective and efficient marine plan.

On behalf of the Severn Estuary Partnership, I would like to thank you for the opportunity to submit evidence to this enquiry. We would be happy to discuss any of the points raised above in additional detail as appropriate.

**Yours sincerely,
On behalf of the Severn Estuary Partnership,**

A handwritten signature in black ink, appearing to read 'P R Parker', is written over a light blue horizontal line.

**Paul Parker
Severn Estuary Partnership Manager**

WELSH COASTAL PARTNERSHIPS

Current and potential role in marine planning and ICZM

**Prepared by Pembrokeshire Coastal Forum and
the Severn Estuary Partnership**



Pembrokeshire Coastal Forum
Fforwm Arfordir Sir Benfro

January 2012

Contents:

1.0 Introduction:	3
2.0 Why Coastal Partnerships?	3
3.0 Knowledge & Expertise	4
4.0 Networks	4
5.0 Integrated Marine Policy Engagement	5
6.0 Resources	5
7.0 Coverage	6
8.0 Coastal Partnership Capacity	6
9.0 Communication Methods	6
Consultation Discussions	6
Debates	6
Conferences / Seminars	7
AM's event	7
Coastal Surgeries.....	7
Coastal Panels	7
Schools Project.....	7
Schools Workshops	7
Newsletters	7
Local Media	8
Utilisation of existing Partnership events and networks.....	8
Marketing materials.....	8
Partnership Website	8
Proposed: Interactive Web based stakeholder engagement toolkit.....	8
10.0 Summary and proposed way forward	9
11.0 Additional Information:	10

1.0 Introduction:

The following paper has been prepared by Pembrokeshire Coastal Forum (PCF) and the Severn Estuary Partnership (SEP), in anticipation of the start of marine planning in Wales. Following consultation on the Welsh approach to marine planning in spring 2011 and continued dialogue with Welsh Government Officers through the Wales Coastal Maritime Partnership, we understand that it is the aim of the Welsh Government to engage local communities in the planning process. We strongly support this approach and believe that Coastal Partnerships are uniquely placed to assist in the engagement process and help to deliver marine planning and ICZM on a local level. The following paper outlines the strengths and benefits of this Partnership approach and highlights areas where both PCF and SEP can add value to the marine planning and ICZM process in Wales.

Coastal Partnerships (CPs) operate as key delivery agents for Integrated Coastal Zone Management and embody the Ecosystems Approach to marine resource management that underpins the Marine and Coastal Access Act 2009 (MACAA). Where they exist, Coastal Partnerships lie at the heart of coastal management, implementing the European ICZM principles thus facilitating integration at the land and sea interface. Their networks, contacts and experience are unrivalled; their social capital and influence has no comparable model. Together they represent a unique and vital resource that is perfectly placed to play a central role in the development and delivery of marine management practices around the coast. CPs were established to deliver neutral, impartial and independent stakeholder engagement on marine and coastal matters across the UK and have been publicly funded for well over a decade to do so. With the Marine and Coastal Access Act 2009 comes a significant opportunity for Welsh Government (WG) to support and utilise the expertise that these partnerships have developed and engage with the extensive stakeholder and community networks that have been created.

2.0 Why Coastal Partnerships?

Coastal Partnerships operate at a number of institutionally different levels. In order to be effective the delivery of marine planning and other key marine policy initiatives will require a multi-layered approach, and will depend on strong working relationships between the many different partnerships/delivery agents involved. This layering of information makes for a highly complex system. Due to the cross sectoral nature of coastal and marine issues, a systems based approach to marine planning is required.

The broad 'vertical' mixing of all coastal interests that is seen in Coastal Partnerships makes them vital fulcrums for discussion, communication and action. Therefore putting CPs to work effectively to assist with marine planning and other resource management processes could be essential for the success of the process and as a means of keeping costs, duplication and stakeholder burn-out to a minimum, at a time when such 'waste' is being intensely scrutinised by government. Other coastal/maritime groups and networks exist and contain similar members - for example Shoreline Management Planning, Local Authority groupings and Coastal Protection - however their focus is often narrow and sector specific. The membership of CPs is cross cutting, representative and unique, with representatives from Local Government, Statutory Agencies, industries, local communities and interest groups, all sitting around the same table. Perhaps most importantly coastal partnerships

offer a neutral and trusted forum for discussion and dissemination, with extensive and well established networks.

3.0 Knowledge & Expertise

With a coastal and marine focus, CP's have considerable knowledge and understanding of UK and EU marine and coastal policy. They are generally established in areas of high nature conservation value and intense economic activity where there is a need for integration and collaboration. Due to this, they tend to focus in particular on the enormously complex interactions between land and sea as well as cross sectoral and inter-sectoral relationships between the broad range of agencies involved in the use and management of UK coastal areas. CP's also offer significant neutral coordination, which in turn aids integration, between administrations and stakeholders in cross boundary areas, such as the Severn Estuary.

4.0 Networks

Coastal Partnership networks extend well beyond the coastal areas they operate in, particularly due to the fact that management of the coast ranges from local through to international organisations. They have strong working relationships with UK and devolved governments and this extends across a number of departments due to the range of projects and activities they are involved in. E.g., Pembrokeshire Coastal Forum's [Marine Energy Pembrokeshire](#) project has strong links with Business Energy Technology and Science and Sustainable Energy Industry Wales departments in Welsh Government as well as DECC in UK Government. Their Wales Activity Mapping project covers five local authority areas including Pembrokeshire.

Coastal partnerships have also developed EU networks through the broad range of European projects they tend to participate in. This aids the development and sharing of best practice on a variety of coastal and marine management aspects and is recognised as good practice by the European Commission. The Severn Estuary Partnership has been actively involved in numerous European Projects, including the INTERREG IVB Innovative Management for Europe's Changing Coast Resource project ([IMCORE](#)) and more recently the INTERREG IVC Project, [DeltaNet](#).

Recognising the challenges of marine planning and integrated coastal management, sharing of best practice is common place within the UK [Coastal Partnerships Network](#) (CPN) and this can be of great value, particularly to peripheral, remote coastal communities. Learning from others can significantly reduce time and costs and can lead to the development of long term and positive projects and alliances. The CPN approach aids standardisation between CPs around the UKs coast and helps to develop common resources for all.

Similarly, PCF and SEP are members of the Wales Coastal Maritime Partnership (WCMP) and support proposed moves to increase its capacity through the appointment of a dedicated full time officer. By providing a Welsh coordinating and communication role and national focus on policy issues this would allow PCF and SEP to concentrate on local engagement delivery. Furthermore, it also presents real opportunities for provision of centrally co-

ordinated services (newsletter, database, interactive website etc.) to enable consistency and cost savings across Wales.

5.0 Integrated Marine Policy Engagement

Historically stakeholder consultations tend to be policy led, single issue, one-off events with limited feedback. The Marine and Coastal Access Act 2009 has instigated an enormous volume of coastal policy changes with strong emphasis on wide stakeholder engagement to include NEF, Marine Planning, MCZ's, Marine licensing, SMP's, WFD etc. Communities and interest groups are increasingly expected to participate in and respond to often complex and very time consuming exercises at their own expense. This has led to real confusion over the relationships between policies (not just for communities) and considerable consultation fatigue. This is a serious concern for the Wales, particularly due to the fact that the implications of many of these policy changes can have major consequences for communities.

CPs are uniquely placed to engage all relevant stakeholders from local communities to practitioners and policy makers. Partnerships have extensive contact databases and good working rapport with key stakeholders. They have developed long term relationships with coastal communities built on trust and understanding due to their impartiality and independence. Communications are ongoing and targeted, with a wide range of engagement mechanisms used to reduce the burden on stakeholders. Due to their knowledge and expertise, partnerships can translate the wide range of coastal policy to ensure it is locally focused, meaningful and clearly understood. In order to do this however, coastal partnerships must be adequately resourced.

6.0 Resources

Currently, Coastal Partnerships do not receive core funding but are funded through a wide range of complex mechanisms ranging from private sector corporate and community responsibility budgets through to statutory bodies, grant funding, European project funding and membership fees/contributions. SEP and PCF have over 30 different funders each, all with differing administrative priorities which presents a significant administrative burden for both parties. Marine and coastal activities operate across government bodies and there is growing interest in utilising the services of Coastal Partnerships for specific activities and projects such as [Wales Activity Mapping](#). If a more integrated approach was taken, sharing costs across departments, and if Coastal Partnerships were funded directly from government rather than through a plethora of government agencies this could provide a very significant cost reduction for both Coastal Partnerships and government. CP networks would grow exponentially with increased use and their value to government would increase over time. Government could make use of this "ready-made and trusted" relationship with communities when necessary, but ongoing resources would be required to maintain the networks and dialogue.

To ensure that inclusive and extensive stakeholder engagement is undertaken by private sector companies, government agencies could place a condition on planning and consenting that CPs are liaised with during the application process through sub-contractual

arrangements. This would allow CP's to extend their networks further and draw in other funding for their work thus reducing support required from government. Furthermore, the use of CP services for stakeholder engagement exercises would not only be more cost effective (as much of the ground work would already be done) but it would also support CP's other sustainable coastal management activities and projects due to their 'not for profit' status. These additional sources of private sector funding would enable match funding for EU and other grant funding applications, thus enhancing Partnerships capacity.

7.0 Coverage

In Wales at present, CP coverage is limited to Pembrokeshire and the Severn Estuary. Both PCF and SEP recognise the difficulty this presents for government who need to be consistent in their approach across Wales. Both partnerships would welcome dialogue with Welsh Government to explore potential avenues to fill these gaps, including the development of the national WCMP. SEP & PCF have the potential to expand their remit and already operate in other areas with reference to particular activities such as Energy and Education. In order to address the lack of coverage in North Wales, a review of existing partnerships and their coverage needs to be carried out to see if they could be used and possibly broadened to take on this role. Terms of reference for CP's in Wales could be developed to ensure they meet government needs and are consistent.

8.0 Coastal Partnership Capacity

PCF are currently exploring the recruitment of field officers who would work on an ad-hoc self employed basis. In addition, they are in discussion with other local stakeholder engagement agencies and UK coastal partnerships to establish shared staffing arrangements. This will result in Coastal Partnerships being able to provide increased capacity and consistency.

9.0 Communication Methods

Current communication methods which Coastal Partnerships regularly use are outlined in Table One (For full web address against each hyperlink please see Table Two). PCF and SEP would welcome further discussions with Welsh Government to explore which methods may be of interest and identify capacity and coverage needs.

Table One – PCF & SEP Current communication methods

Communication Method	Brief Description	Example
Consultation Discussions	Round table discussions with consulter and key stakeholders to enable Q & A and more informed individual organisational responses.	Joint Advisory Committee Meetings
Debates	Speakers representing a range of views come together with the public to discuss specific topics with a panel of experts taking questions from the floor. If possible this could be filmed	PCF Debates

	and placed on the website.	
Conferences / Seminars	Covering a range of topical coastal maritime themes and either targeted at specific stakeholders or open invitation to anyone with an interest. Generally encourage WG to provide policy context and include Q & A sessions. A workshop to explore specific issues could form part of this.	Marine Renewable Seminar Severn Estuary Forum
AM's event	Specific events to raise awareness and understanding of MCZs, and other coastal and maritime topics to local politicians. Taking AM's out to potential sites is beneficial to enhance understanding, leading to greater buy-in.	
Coastal Surgeries	Community groups / public / stakeholders are invited to come to a central location to discuss issues in an informal environment with facilitators and relevant organisations. This is likely to be popular with those less comfortable with discussing issues in an open forum. The surgeries can be more structured if necessary with individuals booking slots. Consideration needs to be made to the type of stakeholder you are engaging with and there likelihood of being able to attend e.g. meetings in pubs in the evening has proved popular with fishermen.	PCF Coastal Surgeries
Coastal Panels	A group of "experts" go into a community and invite members of the public to come and discuss policy proposals. Experts would need to represent a wide range of interests at the proposed site. The use of neutral facilitators is essential.	
Schools Project	Both PCF and SEP have significant experience of designing and running school educational workshops and would suggest that this would be a good way of communicating the Marine Planning process and associated themes to young people in Wales. PCF have already established the very successful Future Coasts schools project which could be expanded across Wales.	Future Coasts YoCCo
Schools Workshops	SEP have recently developed (in association with the INTERREG IMCORE Project and Beacons YoCCo project) an education pack for Key stage 4 on Adapting to Climate Change in Wales.	YoCCo
Newsletters	These are produced monthly and disseminated widely. They tend to provide latest news on a range of coastal and marine issues and grouped	Pembrokeshire Coastal Forum E-News

	according to areas of interest e.g. marine energy. Severn Estuary Partnership E-News & Pembrokeshire Coastal Forum E-News both currently circulated to approx 1000 individuals representing over 500 organisations.	Severn Estuary Partnership E-News Severn Tidings
Local Media	PCNPA Coast to Coast, local papers, local radio, all to be directed to information points (e.g. interactive website - see below).	PCNPA Coast to Coast SEP/PISCES Publicity video
Utilisation of existing Partnership events and networks	Local Coastal Partnerships host a number of engagement events throughout the year such as annual forums, Joint Advisory Committees, Management Groups, Task Groups and Coastal surgeries. Partnerships actively develop links with other organisations under the Partnerships umbrella such as Coastal Groups and European Marine Site Networks. Engagement with CP's provides access to these well established and successful forums.	SEP Diary SEP Who's Who SEP Gateway
Marketing materials	To include leaflets, fact sheets, display boards etc.	SEP Marketing Materials: Marketing Brochure , Guidance Notes , Newsletter PCF materials online: Fact Sheets , Marine-Energy Pembrokeshire Leaflet
Partnership Website	Individual CP websites and associated E-News offer a direct conduit for the dissemination of information to a wide ranging, cross sectoral audience.	SEP Website PCF Website
Proposed: Interactive Web based stakeholder engagement toolkit	At the heart of stakeholder engagement there needs to be an interactive web based information source which is very user friendly, accessible and relevant to a range of audiences. It needs to use the latest technology to enable voting on issues, video links / YouTube for providing information rather than just text and	Potential role for coordination from WCMP

	<p>links to Facebook, Twitter, QR codes, blogs etc. Included should also be template presentations for different audiences; including schools, fact sheets, Frequently Asked Questions etc. It would need to provide information on the range of organisations involved in management of the coast, roles and responsibilities, laws / by-laws, contacts, consultations and relationships between the whole suite of consultations / policies and plans to increase understanding and reduce confusion. It would be beneficial if this website was hosted by a neutral organisation (WCMP) and presented the full range of views.</p>	
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10.0 Summary and proposed way forward

The above document outlines some of key opportunities and benefits that Coastal Partnerships can offer in terms of Stakeholder Engagement throughout Marine Planning and the associated implementation work. The key benefits of Partnership working delivered by both PCF and SEP are:

- Knowledge and expertise
- Experience of a wide range of means of engaging with local communities
- Access to many networks locally, nationally and internationally
- Land – Sea Integration
- Cross border coordination
- Active promotion of an integrated approach to the coastal zone over the last ten years or more; and above all
- Neutral stance, which has brought opposing factions to the table and engendered greater understanding amongst stakeholders.

Both PCF and SEP would welcome early dialogue with Welsh Government to explore the opportunities presented by local coastal partnerships and the benefits they can offer to the Welsh Government. An early, open and transparent dialogue will allow capacity to be built and mechanisms to be put in place to aid communication and engagement through the marine planning process as soon as planning begins. However in order to achieve this it is vital that steps are taken now to ensure all parties are prepared. We would therefore recommend that initial discussion points should include:

- The role and remit of Welsh Coastal Partnerships in Marine Planning and ICZM in Wales (including WCMP)
- Potential review of existing coastal partnerships and their coverage and remit (Jointly with CPN/MMO)
- Resourcing and capacity of existing local coastal partnerships
- Timescales

Should you require any additional information or to arrange a meeting to explore these ideas further, please do not hesitate to contact Tonia Forsyth, Pembrokeshire Coastal Forum (Tel: 01646 696173 Email: tforsyth@mhpa.co.uk) or Paul Parker, Severn Estuary Partnership (Tel: 02920 874713 Email: Parkerpr@cardiff.ac.uk)

11.0 Additional Information:

For further information on the range of activities that Pembrokeshire Coastal Forum is involved in please follow the link to the website and Business Plan:

<http://www.pembrokeshirecoastalforum.org.uk/resources>

Or alternately take a look at each of the PCF project websites:-

1. Marine Energy Pembrokeshire www.marineenergypembrokeshire.org.uk
2. Pembrokeshire Outdoor Charter www.pembrokeshireoutdoorcharter.org.uk
3. Pembrokeshire Marine Code www.pembrokeshiremarinecode.org.uk
4. Wales Activity Mapping (formally known as Recreation audit) www.walesactivitymapping.org.uk
5. We are currently expanding our Future Coasts Buzz Schools Challenge project which will have its own website but is currently hosted on PCF's site www.pembrokeshirecoastalforum/buzz.org.uk

For further information on the range of activities that the Severn Estuary Partnership is involved in please follow the link to the website and Business Plan:

<http://www.severnestuary.net/sep/>

<http://www.severnestuary.net/sep/partnership.html>

Or alternately explore the following specific projects:

1. State of the Severn Estuary Report <http://www.severnestuary.net/sep/publications/soser.html>
2. Severn Estuary Forum <http://www.severnestuary.net/sep/forum.html>
3. Innovative Management for Europe's Changing Coastal Resource <http://www.severnestuary.net/sep/imcore/index.html>
4. DeltaNet <http://www.severnestuary.net/sep/partnership/deltanet.html>
5. The All-Wales Young People's Climate Change Forum <http://www.yocco.org>

The Severn Estuary Partnership also hosts the Severn Estuary Gateway website which is a portal into numerous management organisations around the Severn and contains a plethora of information and resources. <http://www.severnestuary.net> Linked organisations/projects include:

1. Association of Severn Estuary Relevant Authorities
2. Severn Estuary Coastal Group
3. Severn Estuary Flood Risk Management Strategy
4. Bristol Channel Standing Environment Website
5. Severn Estuary Partnership

Table Two – Full web address for hyperlinks in Table One

Hyperlink	Full Web Address
Joint Advisory Committee Meetings	http://www.severnestuary.net/sep/partnership/jac.html
PCF Debates	http://www.pembrokeshirecoastalforum.org.uk/resources/events/
Marine Renewable Seminar	http://www.marineenergypembrokeshire.co.uk/about/pembrokeshire-mre-seminar
Severn Estuary Forum	http://www.severnestuary.net/sep/forum.html
PCF Coastal Surgeries	http://www.pembrokeshirecoastalforum.org.uk/resources/coastal-surgeries/
Future Coasts	http://www.pembrokeshirecoastalforum.org.uk/marine-conservation-zones/
YoCCo	http://www.severnestuary.net/yocco/index.html
YoCCo	http://www.severnestuary.net/yocco/index.html
Pembrokeshire Coastal Forum E-News	http://www.pembrokeshirecoastalforum.org.uk/resources/enews/
Severn Estuary Partnership E-News	http://www.severnestuary.net/sep/whatsnew/archive.html
Severn Tidings	http://www.severnestuary.net/sep/publications/newsletters.html
PCNPA Coast to Coast	http://www.pembrokeshirecoast.org.uk/default.asp?PID=90
SEP/PISCES Publicity video	http://www.projectpisces.eu/about-us/sharing-what-we-learn/case-study-films/
SEP Diary	http://www.severnestuary.net/sep/partnership/diary.htm
SEP Who's Who	http://www.severnestuary.net/sep/whoswho.html
SEP Gateway	http://www.severnestuary.net/
Marketing Brochure, Guidance Notes, Newsletter	http://www.severnestuary.net/sep/pdfs/sepmarketingbrochure.pdf http://www.severnestuary.net/sep/publications/guidancenotes.html http://www.severnestuary.net/sep/publications/newsletters.html
Fact Sheets, Marine-Energy Pembrokeshire Leaflet	http://www.pembrokeshireoutdoors.org.uk/wp-content/uploads/2011/01/MCOCFactSheets.pdf http://www.marineenergypembrokeshire.co.uk/wp-content/uploads/2010/03/Marine-Energy-Pembrokeshire-Leaflet.pdf

**NATIONAL ASSEMBLY FOR WALES’
ENVIRONMENT AND SUSTAINABILITY COMMITTEE
INQUIRY INTO MARINE POLICY IN WALES**

Submission by the British Marine Aggregate Producers Association

1. The British Marine Aggregate Producers Association (BMAPA) is the representative trade organisation for the British marine aggregate sector and a constituent body of the wider Mineral Products Association. The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production, 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. BMAPA represents 11 member companies of MPA who collectively produce around 90% of the 20 million tonnes of marine sand and gravel dredged from licensed areas in the waters around England and Wales each year.

Background

2. Marine dredged sand and gravel is principally used by the construction industry, and the marine contribution provides around 19% of overall sand and gravel demand in England, 46% of overall sand and gravel demand in Wales and 90% of fine aggregate demand in South Wales – with wharves located in Newport, Cardiff, Port Talbot, Swansea, Burry Port and Pembroke. The absence of alternative natural sand deposits in South Wales means that marine aggregate supplies play a key role in supporting economic development and regeneration in the region.

3. Marine dredged sand and gravel also provide a strategic role in supplying large scale coast defence and beach replenishment projects – over 25 million tonnes being used for this purpose around the coastline of Britain since the mid 1990’s. With the growing threats posed by sea level rise and increased storminess, the use of marine sand and gravel for coast protection purposes will become increasingly important.

4. In the near future, marine sand and gravel resources can be expected to play a key role in supporting the successful delivery of major infrastructure projects associated with Government policies related to energy security and climate change, such as tidal power developments, port developments and offshore wind farms. The coastal location of many of these developments means that the sector is ideally placed to supply the large volumes of construction aggregate and fill material that will be required.

5. In all cases, the marine aggregate sector is dependant upon identifying and licensing economically viable sand and gravel deposits to secure sufficient reserves to maintain long term supply to existing and well established markets. The location of such deposits is extremely localised around the waters of England and Wales, restricted to their geological distribution and their geographical position related to the markets location.

6. At present 1274km² of seabed is licensed for marine aggregate extraction, of which around 114km² is dredged in a typical year. This represents around 0.15% and 0.014% of the total UK continental shelf area (867,000km²) respectively. A further 1931 km² of seabed is currently under application or covered by prospecting licence. In this respect, the marine aggregate sector is responsible for managing a significant area of the UK seabed.

7. In response to the invitation for evidence to help inform the National Assembly for Wales' Environment and Sustainability Committees' short inquiry into marine policy in Wales, the information presented below outlines the marine aggregate sectors position on marine planning, marine licensing and the resourcing of the marine function.

Marine planning in Wales

8. The framework provided by the Marine & Coastal Access Act 2009 (Marine Act) represents a cultural shift in marine policy and regulation which in time should allow a more holistic consideration of sustainable marine development that takes into account the range of uses and activities that take place along the coastal fringe and offshore. Part of this will see a move towards a plan-led approach to marine management over time – away from the current consent or licence-led environmental issue/response approach that currently exists. It will also require the social and economic costs and benefits of activities to be more fully factored into decision making. While Environmental Impact Assessment (EIA) is well established, equivalent tools and methodologies to robustly and consistently address the social and economic costs and benefits very much remain in their infancy, as do the means to link the three elements together.

9. Unlike the terrestrial environment, the development of planning and policy for the UK marine environment remains very much in its formative years. However, unlike the equivalent terrestrial policies, regimes and processes which have evolved developed and matured largely in isolation from one another, the Marine Act provides an opportunity to develop a more integrated approach to delivering sustainable marine use in both Welsh and UK waters from the outset. The draft UK Marine Policy Statement reinforces this opportunity to a point, and the new marine planning system could provide the means to deliver a more integrated approach to marine use, management and protection. However, the absence of a truly integrated overview of policy objectives and priorities across policy themes at both UK and Welsh scales will ultimately limit how successful the end product is likely to be in terms of delivering sustainable marine use. The absence of a clear and unambiguous policy steer over objectives and priorities will create some fundamental challenges for those planners, regulators and advisors that will have to actually realise and deliver the required policies in practice – as well as those activities and interests that are trying to work within their structure.

10. We would cite the Interim Marine Aggregate Dredging Policy (IMADP), published by WAG in 2004, as one example of an approach to deliver integrated policy and planning that was in many ways ahead of its time. It was by no means perfect and there were some fundamental weaknesses in some of the evidence it was based upon, but the concept was in many ways ground breaking, with the idea to provide developers, regulators and wider stakeholders with a clear statement of all policy considerations, issues and priorities – albeit at a sectoral scale. Certainly from a developers’ perspective, the principle of providing a greater level of certainty, increasing confidence and reducing the levels of risk associated with new applications was considered most welcome and it is hoped that the wider marine planning process will deliver something similar.

11. While the level of planning and policy onshore is considerably more developed than offshore, the same may also be said for our state of knowledge and overall evidence base. The time and effort required to develop a robust system of marine planning, management and protection will be considerable, particularly given the time taken for the equivalent policies and structures on land to develop. Therefore, if we are serious about delivering an integrated approach to sustainable marine use and protection in Welsh waters which is based on sound and robust evidence, then sufficient time, effort and resource must be provided across Welsh Government and their advisors over the medium to long term to realise the wider benefits that would result.

12. Beyond setting out some high level guiding principles, progress with marine planning in Welsh waters has been somewhat limited to date – focussing upon high level principles. In a sense, this is not altogether unsurprising given the scale of the process – both in terms of the spatial extent and the variety of uses and activities to be managed – and the time, effort and resources required to properly develop marine planning in practice. The equivalent processes being undertaken by the Marine Management Organisation for the first of the marine plan areas in English waters serve to illustrate just how involved the plan development process is, and the combination of technical and practical challenges that are involved – particularly from the outset.

13. Given the limited resources available to Welsh Government, there is a lot to be said for holding back to allow some of the wider groundwork on the marine planning process to be established by others – in this way, the Welsh process can benefit from others hard earned experiences, rather than reinventing the wheel. There would also be an advantage for the Welsh marine plan to be developed in conjunction with the equivalent processes being developed in the adjacent waters of the Bristol Channel or Irish Sea to assist with the alignment of plans and policies at a regional seas scale. As a sector with long standing licensed interests in both Welsh and English waters of these regional seas (several of which have in fact straddled the median line between the two), consistency of approach to both marine planning and licensing will be very important if we are to realise sustainable marine management at a regional scale.

Marine licensing in Wales

14. In many ways the Welsh Government's Marine Consents Unit represents a good news story for marine management, and an illustration of how good governance can effectively support sustainable development. The marine aggregate sector has been operating under a full cost recovery regime since 2007 – in which applicants are required to pay significant fees to cover the costs incurred by regulators and their scientific advisors to process a licence application. Because this fee covers the whole life cost of the application process, it means that the regulator is able to put in place sufficient resource to process applications in a timely and efficient manner. Coupled to this is the relative stability of the personnel in the team – who over time have developed into experienced and highly competent marine regulators able to deliver a high quality service. However, it is important to stress that this service is only as good as the quality of personnel that deliver it (competence) – not just the number of individuals involved (capacity).

15. We have previously expressed concerns over the proposals to consider transferring the marine licensing function from the Welsh Government to the new Single Environment Body (SEB). While the agencies that would form the SEB currently deliver a range of operational environmental regulatory functions for terrestrial activities, this is against the backdrop of a well established and developed system of planning and development control. The process of planning and development control is delivered through terrestrial planning authorities, who in delivering this draw on responses and advice from the agencies that would form the SEB through their various advisory and statutory functions.

16. The marine licensing function currently delivered by the Welsh Government is more akin to the primary development control function delivered by terrestrial planning authorities. We are therefore unclear how this could be independently, objectively and transparently delivered through the SEB given the anticipated statutory advisory functions that would be retained (particularly those fulfilling the requirements of various European Directives), and the wider objectives and functions of the proposed organisation which are to be rightly founded in environmental management and protection.

17. The need for functional separation was briefly discussed in the initial consultation, to separate permitting from operational/advisory activity. However, we remain to be convinced how this can be practically achieved given the need for both the licensing function and the advisory function to retain their own autonomy and independence against the very different and potentially conflicting objectives of each. In terms of conservation advice, it is worth noting that given the high proportion of the Welsh marine area already subject to some form of protection under European Directives, the number of marine licence decisions that will require statutory nature conservation advice is likely to be high. This is a factor which significantly increases the risk of tension between these functions.

18. Building on the comments above, with the potential inclusion of the marine licensing function, the aim and strategic outcome of the new organisation remains somewhat confusing. On the one hand the consultation refers to it having a sustainable development remit '*...supporting economic development*' and with '*...sustainable development as its central organising principle*'. On the other, the focus is presented as '*...delivering better outcomes for, and from, the environment*' and having '*...a clear remit to protect the environment*'. It is therefore not clear whether the wider social and economic policy drivers that exist will be given equivalent weight to the well established environmental protection provisions. In the context of the current functions of the Environment Agency Wales and CCW, the tensions that can arise between environmental protection and sustainable development in its widest sense are mitigated by the fact both agencies currently provide independent, expert advice to the licensing authority, who take the advice received into account when making their decisions. Given the wider policy and planning context against which decisions have to be balanced, this can result in outcomes which may not necessarily align with the advice provided.

19. If the SEB proposals were simply to consolidate existing statutory advisory/operational regulation functions within a single body with a remit to ensure environmental protection as a contribution to the achievement of sustainable development these underlying concerns over delivery conflicts would not arise. However, the proposal for the new organisation to deliver the marine licensing function alongside its statutory environmental duties and wider environmental protection obligations sends out a very confusing message to those who require marine licences and indeed to wider stakeholders required to interact with the licensing process. We would suggest that the benchmark for this separation of delivery from advice should be the very clear and distinct functions that are defined for other UK national marine licensing authorities and the separate statutory bodies that advise them.

Resourcing of the marine function in Wales

20. In general, the marine planning, regulatory, management and advisory functions are not particularly well resourced at present in Wales, despite the fact that in spatial terms it extends to some 15,000km². The implementation of the various facets of the Marine Act, alongside delivery of the requirements of the Marine Strategy Framework Directive will result in rapidly growing demands on resources within the Welsh Government and their statutory advisors. These national and international pressures should represent an opportunity for the capacity and capability of the marine function to be adequately resourced and developed.

21. However, the limited reference and apparent lack of understanding of the needs and requirements of these functions in both the recent SEB and associated natural resource management consultations, suggests that this opportunity will be missed. This is likely to result in a mismatch between the aspiration and ambition for sustainably managing Wales' marine environment versus what can realistically be delivered in practice given the budget and resources available. Unless additional resources and budget are made available, it may be necessary to prioritise delivery of marine policy to ensure that those components that are initially taken forward are able to be delivered well.

22. As an industry sector that interacts extensively with other UK marine delivery administrations we would offer the following observations. At a time when most national administrations are actively centralising their marine delivery functions (as distinct from statutory advisory functions, as proposed by the SEB) – most notably planning, regulation and management – in order to make best use of limited resources and expertise, it would seem a backwards step to further fragment the marine delivery function in Wales by detaching licensing from fisheries management and marine planning. A more practical option could be to establish a marine delivery department/agency within Welsh Government (Marine Wales or similar). Given the relatively small number of functions and associated personnel, this could provide the necessary independent focus for the consolidated national marine delivery functions, and provide the necessary separation from policy.

23. Finally, when considering any changes to the way in which marine management is delivered in Wales, we would underline the importance of retaining key knowledge/expertise and experience for all aspects of the marine delivery function. There is a risk that with the function or parts thereof potentially transferring to another body this expert knowledge and experience could be lost - particularly if the geographical location where the function is to be delivered changes. In this respect, maintaining the ongoing delivery of an effective, efficient and proportionate marine licensing system and the planning and management functions that support this remains central to the successful delivery of sustainable development in Welsh waters.

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Dear Members,

Thank you for your kind invitation to provide evidence to your inquiry into Marine Policy in Wales.

The Welsh Fishermen's Association Ltd-Cymdeithas Pysgotwyr Cymru Cyf (WFA-CPC) is an organisation consisting of all seven of the Fishermen's Associations in Wales which respectively include the entire coastline of Wales.

The WFA-CPC Ltd was conceived as a result of the necessity for a body to represent the Welsh Fishing Industry for a body as one voice at the highest possible level.

The WFA was created by fishermen for the wider fishing communities in Wales.

We are currently a not for profit company operating on a voluntary basis.

Projects and initiatives that the WFA is currently involved in are:-
Bangor School Ocean Sciences : Scallop Fishing Intensity Trials
Bangor School Ocean Sciences : Scallop Gear Modification Trials
Bangor School Ocean Sciences : Sustainable Use of Fisheries Resources in Welsh Waters
CCW : Pilot Project Fishmap Môn.
Welsh Waters Scallop Strategy
Swansea University : Marine Ecological Surveys

For your records and future reference the WFA can be contacted at the following:-

Registered Office : 32 Queens Street, Aberystwyth, Ceredigion
Admin Office : Gwyn Aeron, Cae Dolwen, Aberporth, Cardigan, SA43 2DE
Email address : wfacpc@ymail.com
Contact Telephone 07896184751

What progress has been made in relation to the development of marine spatial plans for Wales?

As far as we are aware there has been no progress towards developing a marine plan(s) in Wales. Wales is, of course, a signatory to the UK Marine Policy Statement, but we have not seen any further progress towards planning.

What is the current status of marine protected areas in Wales and what role should the new marine conservation zones have in this network of protected areas?

The WFA is not aware of any evidence to suggest that Welsh Marine Protected Areas (MPA's) are in an unfavourable condition. The WFA accepts that some forms of fishing may not be compatible with Special Area of Conservation (SAC) features, such as biogenic reefs and scallop dredging, over the last year, WFA has been working constructively with WG and CCW to protect, for example, horse mussel reefs from scallop dredging off the North Llyn coast.

The WFA believes some of the conservation objectives decided by CCW are inappropriate and have prevented the development of sustainable fisheries and aquaculture. For example, one of the conservation objectives for Pembrokeshire Marine SAC is 'populations of typical species subject to existing commercial fisheries are within safe biological limits'. Irish Sea stocks of commercial species such as of Cod, Dover Sole and Whiting are below safe biological limits and the Pembrokeshire Marine SAC will not be able to achieve favourable condition, which is clearly not associated with activities within the SAC. The WFA note an inconsistent approach to the establishment of conservation objectives in Wales' European Marine Sites (EMS) which is unacceptable.

Recent research undertaken by Bangor University in Cardigan Bay has revealed inaccuracies in the distribution of SAC features. For example, a significant part of the SAC reef feature in Cardigan Bay is not reef, but mobile gravel which does not qualify as a reef. This has had a profound effect on the local scallop industry that has fished some mobile sediment grounds within the SAC for decades, but prohibited in 2008 following what is now known to be unsubstantiated and inaccurate advice from CCW

Under the role of MCZs

The WFA believes the current network of EMS in Welsh waters provides more than is required to establish a coherent network of MPAs. Over 76% of the coastline is protected, 50% of waters out to 6 nautical miles and 36% of waters out to 12nm. The WFA is disappointed that WG & CCW haven't assessed the adequacy of the existing network before embarking on the MCZ process. Of the three objectives put forward by WG for MCZs, the WFA believes only one, the need for scientific research is plausible. The other two; ecosystem recovery and ecosystem resilience have not been substantiated. There is no evidence to

suggest any of the proposed inshore MCZs are in need of ecosystem recovery. Recovery from what? These areas support environmentally benign and sustainable static gear fisheries. In terms of resilience, which is a non-specific term, resilience from what? And would an area harvested in an environmentally and sustainable manner be any less resilient than one that wasn't. WG nor CCW have produced evidence to suggest otherwise.

The WFA accepts the need for no-take-zones for scientific research and as part of a wider Ecosystem Based Approach (EBA). However, given the uncertainty of the outcome of no-take-zones in temperate waters (note; recent studies demonstrate that only lobsters out of 20 species studied in Lundy NTZ have shown a significant increase) these areas should be relatively small, evidence based and consensus lead as part of an EBA management toolkit employed by local/regional management groups contributing to a wider adaptive management model incorporating a social ecological system.

During the recent Welsh government consultation into possible sites for marine conservation zones we produced documents called "Striking the Balance" and "Uncharted Waters" which detailed our opinions on the current and future network of marine protected areas in Welsh Waters.

For the interest of the Members we attach the following documents for information:-

1. Uncharted Waters
2. Striking the Balance

Both of the above documents were included in the WFA's Consultation response.

As the document says we are in favour of a much greater degree of cooperation with fishermen than currently exists resulting in an approach which allows conservation objectives to be met whilst not employing an over precautionary approach to unfairly restrict the fishing industry.

The development of the Welsh Government's functions in relation to marine licensing and fisheries and whether this has been effective?

Whilst we are aware that a new single body is being created which will encompass marine licensing and CCW we do not as yet understand fully how this body will operate and therefore what effect it will have on the functions. In the past we have found that although CCW's remit was to provide conservation advice, in many cases this advice was simply adopted without any appropriate balance being applied from an industry standpoint. This has led to considerable, and in our opinion unnecessary, difficulties for the industry in terms of sustainable use and development.

We hope therefore that this new body will facilitate a more balanced approach and therefore enable greater cooperation with industry in the future which will have considerable benefits both to industry and conservation.

What progress has been made by the Welsh Government in the implementation of key European Directives

It is our opinion that a great deal of progress has been made towards implementing key European Directives particularly in recent years. Wales has a large amount of its seas, especially in coastal areas, under some degree of protection and thus is in a strong position when considering requirements such as providing a network of protected areas under the Marine Strategy Framework Directive. The Habitats Directives although somewhat outdated now are complemented by national legislation to provide protection and the Water Framework Directive, whilst still requiring modification to encompass the requirements of the Shellfish Waters Directive appears to be working satisfactorily.

The Marine Strategy Framework Directive still presents a huge challenge as its scope and requirement for international cooperation are unprecedented. Here the industry has concerns because so much of the implications of this legislation are still unclear. For example a great deal of work has been done on the assessment, targets and indicators involved in the process towards achieving Good Environmental Status and not the monitoring or any measures deemed necessary. This in itself leaves the industry in a difficult and uncertain position. The documents published so far state that fishing is one of the major pressures on the environment and thus it can be inferred that when measures are contemplated they will impact on fishing, yet no indication as to the extent of these has been given. This is another uncertainty for the industry at the moment.

Not many years ago there was virtually no regulation in the marine area on environmental matters. Whilst clearly there was a need for some we are now at a point where the amount and type of legislation is confusing and has the potential to be contradictory, it is necessary to strike the right balance. We feel there is a need for clear links to be established between, for example, Habitats and Birds Directives, the Water Framework Directive, the Common Fisheries Policy, the Marine Acts etc, and for policy to determine exact purposes and scope for all of the different ones to avoid contradictory targets being set.

Whether there is sufficient cooperation and coordination between the Welsh Government and its neighbouring administrations in relation to the management of its seas?

A clear example of a lack of cooperation and coordination with neighbouring administrations would be the English regional MCZ process and the distinct and continued lack of consultation of Welsh stakeholders within the Irish Sea Conservation Zone Project and indeed the sister project Finding Sanctuary, however, the answer to this question depends largely on the specific piece of legislation and the interpretation of “neighbouring”. It has been evident that a good level of cooperation and coordination has been achieved in some areas such as the Marine and Coastal Access Act 2009 and in particular from that the Marine Policy Statement for the whole of the UK and those pieces of European legislation where the UK has worked together to produce implementing UK legislation. There are areas which have worked less well however, such as planning where the English administration is well into the process and where Wales is lagging behind unnecessarily resulting in less coordination than would be ideal. With regard to European legislation industry in the UK often feels that more coordination is needed amongst European countries to avoid the different approaches taken resulting in differing economic conditions.

Contained within the Marine Strategy Framework Directive there is a requirement for countries with common waters to work together in achieving the aims. Of course this makes perfect sense, and would ideally eliminate many of the difficulties which arise with European legislation from different application causing significant anomalies in the way in which legislation is applied across different countries. The UK should be congratulated for its efforts in this area so far, but these must continue in order to ensure a workable system is achieved which provides a level playing field for all. It is understandably difficult when different countries are at different points in the process of implementation however a fully integrated system must be agreed if this legislation is to succeed.

Whether the Welsh Government has sufficient financial and staff resource to deliver on its marine policy and legislation objectives

The WFA has no knowledge of the Welsh Government's financial or staff resources relative to the delivery of Marine Policy and Legislation objectives, however, general observations would indicate that a review may be necessary to deliver improvement in the following policy areas.

1. Fisheries management and enforcement
2. The Several Order process is economically unacceptable (no new SO's for six years)
3. The 2008 Welsh Fisheries Strategy
4. The adherence of conservation advisors to a prohibitive approach to economic development within the marine environment
5. Delivery of the European Fisheries Fund initially under resourced leading eventually to a structural change in March 2012 which has been hamstrung by a back log of enquiries resulting in frustration and missed opportunities.

Whether stakeholders have been sufficiently involved in the shaping of new policies and the development of legislation

The recent marine conservation zone consultation is a good example in answer to this question. In contrast to the process in England which was run by stakeholder groups from the beginning the process in Wales this was presented as a fait accompli in a formal written consultation. The English process has resulted in industry buy in, in Wales it has resulted in outrage throughout the coastal fishing communities and will need to be subject to fundamental modification as a result.

We hope that with the creation of the new single body industry can contribute at a much earlier stage and use its expertise to benefit the legislative process, but also that industry will be involved from the very beginning in the Welsh Government's legislation processes including the review of the "Welsh Fisheries Strategy" inshore and offshore Marine Spatial Planning together with European marine site designation, monitoring and management.

As legitimate stakeholders working in the Welsh marine environment the WFA would welcome the opportunity to positively engage in a co-management role with Welsh Government to include pre-policy, legislation development, fisheries, conservation, environmental management and the Welsh Fisheries Strategy.

The WFA-CPC Ltd wishes to thank the Committee members for the opportunity to provide evidence to the inquiry into Marine Policy in Wales.

Should the members require any further information we would be please to provide assistance.

Yours faithfully

Jim Evans

For and on behalf of the WFA – CPC Ltd

UNCHARTED WATERS



July
2012

The Welsh Fishermen's Association response to the
Welsh HPMCZ consultation

This document highlights the shortcomings of the current Welsh Highly Protected Marine Conservation Zone (HPMCZ) policy and outlines the serious cultural and economic impacts on coastal communities in Wales.

UNCHARTED WATERS

THE WELSH FISHERMEN'S ASSOCIATION RESPONSE

The Welsh Fisherman's Association (WFA) fully support the Welsh Government's (WG) commitment to the UK vision for clean, healthy, safe, productive and biologically diverse seas and the intention to frame all aspects of the WG marine programme within an ecosystem- based approach.

However, the proposal to achieve this commitment and fulfil the obligations to create a network of marine conservation sites under the Marine and Coastal Access Act 2009 through a network of highly protected marine conservation zones (HPMCZs), which are in effect no-take-zones (NTZs), in Wales is, in the WFA's opinion, flawed, disproportionate and inconsistent with the approaches taken in England and Scotland.

The WFA opposes WG's potential site options for all the MCZs put forward in this consultation for the following reasons:

1. There is no legal requirement for HPMCZs

The Marine and Coastal Access Act 2009 (hereupon referred to as the 'Marine Act') does not include any legal requirement for the implementation of HPMCZ's. Indeed, there is no mention of HPMCZs within the legislation. It is the WFA's understanding that the concept of an HPMCZ was invented by the Countryside Council for Wales (CCW).

Under Sections 116 & 117 of the Marine Act, MCZs can only be designated for the purpose of conserving marine habitats and species (termed features) and the management of which is charged solely with the duty of protecting them from threats to their survival, and assisting them to recover where necessary. Accordingly, where activities including fishing are not deemed to be a threat to the survival or recovery of those features – for example, pelagic and static gear fisheries do not threaten their survival or recovery – there is no legal requirement to prohibit them.

The WG MCZ consultation document¹ describes the purpose of HPMCZs as contributing to 'ecosystem recovery and resilience and improve our understanding of naturally functioning

¹ Marine Conservation Zones (MCZs) Potential Site Options for Welsh Waters. Welsh Government. 2012 – p. 131

ecosystems'. However, under the Marine Act there is no legal requirement for MCZs either to contribute to ecosystem resilience or to be designated for scientific study.

Moreover, in order to fulfil its duty under the Act, the WG must carry out an assessment of each MCZ to decide if its features are in a favourable or unfavourable condition, and if the latter, to determine whether and if so how the features can be recovered to favourable condition before deciding upon the appropriate management measures. The current approach has omitted these assessments and simply assumes that the features are already in unfavourable condition and that the appropriate management measure is to prohibit all extractive and depositional activities, we contest this.

2. An adequate MPA network already exists in Welsh Waters

The consultation document states that, 75% of the coastline and 36% of Welsh territorial waters has been already been designated for marine conservation, mainly in the form of European Marine Sites such as Special Areas for Conservation and Special Protection Areas (SACs, SPAs). **50% of territorial waters between 0-6 miles from the shore, where the majority of fishing and recreational activities take place, are already protected for conservation.** To put this in context, this is more than double the area currently designated in England (23% - Defra statistics).

Under the Marine Act, MCZs are designated to form a network of marine conservation sites which, taken together with existing conservation sites in UK waters, cover the range of features found in the UK seas. As all proposed MCZs in Wales are sited within existing European marine sites, and the habitats and species identified within the MCZs are constituents of the wide ranging marine features protected by the European marine sites, the WFA firmly believe that adequate coverage and protection already exists to provide a network of marine conservation sites in Welsh waters.

3. The HPMCZ policy in Wales is unreasonable

The term 'heterogeneity' is used by the WG as a criterion of ecosystem health, but it is an indiscriminate concept and in itself has no value; it appears to act only as a proxy for ecosystem resilience. There is no evidence that coastal areas lack resilience; CCWs own studies report concluded that following the *Sea Empress* oil spill, even the most vulnerable components of the coastal marine environment had recovered within 5 years². The use of heterogeneity

² State of the marine environment in SW Wales, 10 years after the Sea Empress oil spill. J Moore (CALM) report to CCW. 2006 – p.33

inevitably skews sites to be situated close to the shore along the coast, and these are areas which will have the greatest adverse socio-economic impact on coastal communities and sea-users. Moreover, the use of heterogeneity as a criterion is inconsistent with England and Scotland MPA criteria.

While it is in the nature of devolved government that different policies are pursued in different parts of the country, principles of EU good governance³ require that there should be at least a common touchstone that ensures there are not gross anomalies between the approaches taken by devolved administrations

The WFA views the Welsh MCZ designation process to be undemocratic and unfair, by contrast with England and Scotland where the MCZ designation process was inclusive of stakeholders. For instance, with regards to Highly Protected sites, Marine Scotland is taking an evidence-based and collaborative approach, working with the fishing industry to minimise social, economic and displacement impacts, and using No Take Zones only as a last resort, when there is no other way of protecting the conservation status of a vulnerable feature. The latest advice from Defra, is that management of 'Reference Areas' in England will reflect the potential risks to site features from activities rather than implement blanket prohibitions.

In Wales, the HPMCZ process appears to have been driven by the Countryside Council for Wales (CCW) since 2002 and centred around the advice of Callum Roberts and Sue Gubbay (both strong advocates of NTZ) who were employed to develop guidance on how to designate NTZs^{4,5}. It is true that one or two fishermen attended some MCZ workshops, but they were given no feedback nor were they involved in the development of NTZ policy within CCW. It appears that the Welsh HPMCZ policy has been as much advocacy led as based on selected scientific evidence. There is a growing realisation in academia that MPA policies are being driven as much by personalities as by science.⁶



³ [European Governance A White Paper. Commission of the European Communities. 2001 – p35](#)

⁴ Highly Protected Marine Reserves – Evidence of benefits and opportunities for marine biodiversity in Wales. Gubbay S. CCW Science Report. Report No: 762 2006 - p127

⁵ Selecting and implementing Highly Protected Marine Reserves in Wales. Roberts et al., CCW Policy Research Report No. 08/17 2008 – p124

⁶ [MPA policy: What lies behind the science? Caveen et al, Marine Policy \(in press\) 2012](#)

4. Disproportionate effect of HPMCZs on the inshore fishing communities

All but one of the proposed sites are coastal whilst the remaining site is a short distance from the shore. These sites will severely affect the inshore small-scale fishery which is widely acknowledged to be low in environmental impact. By contrast, the higher impact offshore fisheries will remain unaffected. Small scale, largely artisanal, inshore fishermen operate from under 10 m vessels and are restricted to working within a safe range of their port, beach or cove.

Welsh coastal communities have been seaward looking for more than 2000 years; their very existence was based upon access and sustainable use of coastal waters. The designation of HPMCZs based upon policies developed by CCW, an organisation only established in 1990 and due to be disbanded in 2013, could end at a stroke this long cultural and social heritage.

The environmental, social, cultural and economic damage inflicted by HPMCZs on Welsh coast communities could be far reaching:

- Communities could have their historic cultural links with the local fishing industry severed, thereby threatening their identity, social fabric and well-being.
- Many Welsh fishermen can trace their family history of fishing and making a living from the sea back many generations. These family traditions and the aspirations of the next generations are now threatened by the imposition of HPMCZs.
- Schools and school children in coastal fishing communities with a strong connection to their local fishing industry could lose an important part of their roots.
- Inshore fishermen have a unique understanding of the coastal marine environment forged through generations of productive fishing that maintained the biological and ecological diversity necessary to sustain the commercial stocks. If HPMCZs drive these fishermen out of business, this invaluable marine knowledge and stewardship would be lost forever.
- Businesses associated with the local fishing industry, including merchants, processors, engineering, chandleries, and fishing gear manufacturers could be terminally damaged.

- Chartered angling businesses, recreational shore anglers, and recreational boat anglers operating within the site may all be badly affected.
- The local tourist industry, especially businesses associated with accommodation (e.g. caravan and camping sites), marine wildlife trips, diving, hotels, restaurants, cafes and shops could take a considerable loss of income.

5. No guarantee that HPMCZs will benefit biodiversity or commercial fisheries

Studies on the effects of fishing exclusion on biodiversity and commercial species in UK waters and other temperate regions have not been conclusive, suggesting the outcome is site-specific. Whilst it may be true that MPAs in tropical and sub-tropical regions, which are characterised by reef-dependent commercial-fish communities, generally demonstrate increased ecological and fisheries benefits, we cannot assume similar benefits in temperate waters.

Two independent scientific surveys commissioned by DEFRA/Natural England (Lundy NTZ Bristol Channel)⁷ and the Crown Estate (Fife Coast Scotland)⁸ both concluded that the exclusion of static gear fisheries (fixed nets, shellfish traps and long lines) appear to yield no nature conservation benefit in terms of species abundance or diversity.

For example the Lundy study showed of the 20 species monitored only one, the lobster, appeared to have derived an unambiguous benefit from the NTZ. There were no significant changes in sessile animals in the NTZ throughout the four year period and it was therefore



⁷ Ecological effects of the Lundy No-Take Zone: the first five years (2003-2007). Hoskins et al, report to Natural England, DEFRA and WWF-UK. 2009 – p.160

⁸ An assessment of the potential impact of no-take zones upon benthic habitats: a case study from SE Scotland. Crown Estate. 2012 – p.40

UNCHARTED WATERS

concluded that they were generally insensitive to the forms of fishing that were excluded from the NTZ. This view was strengthened by the fact that there were no significant changes in sessile animals in nearby areas where the same fishing activities have continued. The study also showed a decrease in the abundance of velvet crab, which is a species of commercial interest.

A review of 37 temperate marine reserves (NTZ) by the Centre for Evidence-Based Conservation, School of Environment and Natural Resources, University of Bangor in 2009⁹, reported on the uncertainty of NTZ effects and whilst finding some evidence of increased biomass and richness within temperate NTZs, concluded:

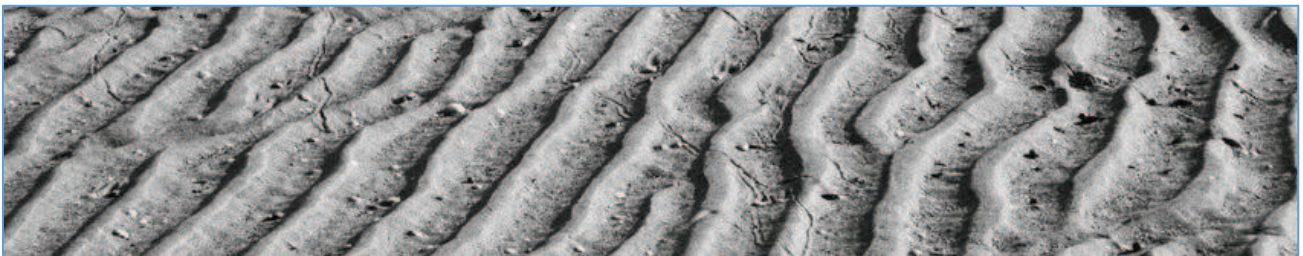
'Our systematic review has revealed clear gaps in the evidence base regarding the effectiveness of temperate marine reserves for either biodiversity conservation or sustainable fisheries management.'

6. Welsh Government have not fulfilled their obligation to carry out Habitats Regulations Assessment on the negative effects of HPMCZs on existing European Marine Sites

We believe that the HPMCZ project constitutes a 'plan or project' under the EU Habitats Directive. As all of the proposed HPMCZs are either within or adjacent to existing European Marine Sites we believe that there is a requirement for Welsh Government to carry out a Habitats Regulations Assessment on the effects of designation on the EMS site features.

The effects of displacement of fishing effort and other activities from HPMCZs to other areas should be considered. We have recently witnessed the effects of displacement in Cardigan Bay with an influx of fishing vessels excluded from traditional fishing grounds in Lyme Bay.

From CCWs website: *"A plan or project cannot be given effect or consented unless it can be determined that it would not have an adverse effect on the integrity of European Sites or, where there are no alternative solutions, there are Imperative Reasons of Overriding Public Interest and compensatory measures are secured to ensure the coherence of the Natura 2000 network. Any plan or project which has the potential to affect a European Site, no matter how far away from that site, should be considered."*



⁹ Temperate marine reserves: global ecological effects and guidelines for future networks. Centre for Evidence-Based Conservation. 2007 – p. 11

Protecting marine biodiversity and fishermen

There are better ways of protecting marine biodiversity in Welsh waters. Internationally recognised best practice promotes a more integrated ecosystem-based approach to resource and conservation management. The ecosystem-based approach, combined with wider application of marine spatial planning and zonation, is considered by leading practitioners in marine management to be able to deliver far more meaningful gains in marine conservation and resource management whilst avoiding cultural, social and economic impacts¹⁰.

Fisheries and conservation management needs to be evidence led to avoid needless and overly precautionary restrictions which have in the past resulted in conflict and disengagement. Workable and effective management can only be possible with a more detailed understanding of the marine environment and how we interact with it. The current MCZ process has already collated great deal of ecological information about the proposed sites. The WFA would like to build upon this by supporting research and monitoring to increase our understanding and enable effective management. Welsh fishermen are already supporting marine research in Wales by participating in University research to inform conservation management. While there may be a case for some highly protected areas in Wales to improve our understanding of naturally functioning ecosystems, such studies do not have to be located in areas where they cause economic hardship to fishermen, and they would be more fruitful if they involved fishermen in their planning and survey work.

It is time for change and to provide real conservation and environmental benefits to Wales without social, cultural and economic impacts to local communities. The WFA, on behalf of the fishing industry in Wales would urge the Welsh Government to give serious consideration to WFA's alternative proposal "Striking the Balance"¹¹. This is a unique opportunity to develop Welsh fisheries and conservation management as an exemplar of what can be achieved by ecosystem-based co-management.

The WFA would respectfully recommend that Welsh Government abandon the 2nd and 3rd stages of the current consultation and focus on the delivery of a truly ecosystem-based solution for Wales's marine environment and the fishing and tourism communities that depend on it.

¹⁰ Agardy et al, 2011. Mind the gap: Addressing the shortcomings of marine protected areas through large scale marine spatial planning, *Marine Policy*, 35 (2) 226-232

¹¹ [Striking the Balance - An Ecosystem-Based Approach for MCZ Management in Wales](#). Woolmer A.P. report to Welsh Fishermen's Association 2012 – p.35

STRIKING THE BALANCE



July
2012

An Ecosystem-Based Approach for MCZ Management
in Wales

The current implementation of Highly Protected Marine Conservation Zones in Wales threatens the culture and economy of Welsh coastal communities by prohibiting traditional low impact fishing and recreational activities. This report outlines a viable alternative MCZ approach that will promote ecosystem recovery and resilience and better our understanding of the marine environment without adverse impact to fishermen and local communities.

Striking the Balance

AN ADAPTIVE CO-MANAGEMENT ECOSYSTEM-BASED APPROACH FOR MCZ MANAGEMENT IN WALES

1. The principles of the WFA Welsh MCZ approach.....	4
2. WFA Adaptive Co-Management Ecosystem Based (ACMEB) MCZ Management Model ...	8
a. The international best practice ACMEB MCZ management approaches applicable to Welsh MCZs	9
i. Ecosystem-based approach.....	9
The policy drivers for ecosystem-based management	12
Why is ecosystem-base management the appropriate model for managing fisheries and other activities within MCZs?.....	12
ii. Adaptive Co-management – partnership working	14
What can MCZ adaptive co-management achieve?	15
The co-management scale	15
iii. Adaptive management – “learning by doing”	17
The Adaptive Management framework (in the context of an MCZ).....	19
iv. Collaborative science and monitoring	21
v. Spatial management – zoning and geofences	23
b. Overview of the WFA ACMEB MCZ management model	24
1. High-level objective setting	26
2. Ecosystem-based assessment	26
3. Establish objectives	27
4. Develop and implement MCZ Management	27
5. Collaborative monitoring and feedback	28
3. Conclusions	29



INSHORE FISHING VESSELS AT SOLVA

Striking the Balance

AN ADAPTIVE CO-MANAGEMENT ECOSYSTEM-BASED APPROACH FOR MCZ MANAGEMENT IN WALES

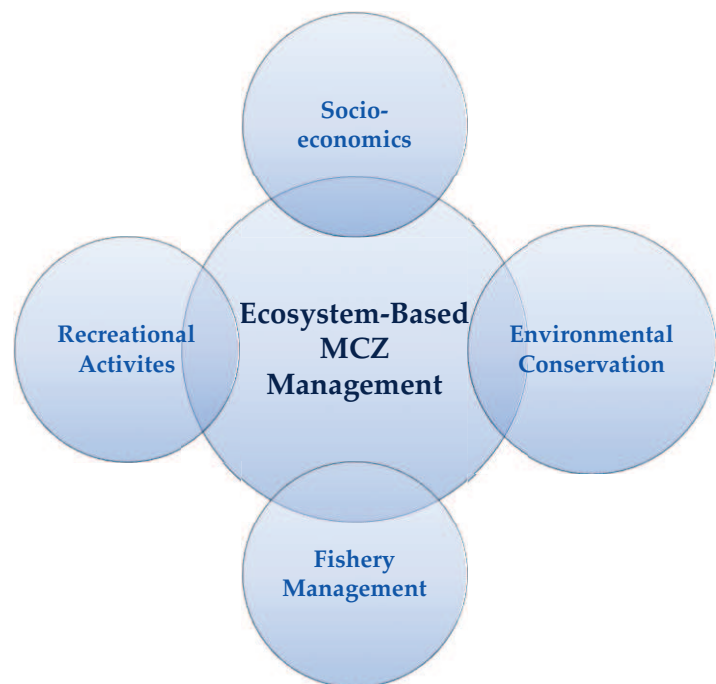
WELSH FISHERMAN'S ASSOCIATION VISION | EXECUTIVE SUMMARY

The Welsh Fisherman's Association (WFA) believes that a healthy and well managed marine environment is fundamental to the long-term sustainability of its industry and the communities from which they operate. With this aim the WFA are proposing an alternative to the current highly protected implementation of MCZs in Wales which will have serious economic, social and cultural impacts on fishermen, recreational sea users and coastal communities.

The WFA has developed an alternative adaptive co-management ecosystem-based model for MCZ management in Wales that will deliver the high level objectives and high levels of protection through adaptive and proportionate risk-based management rather than blanket prohibition of activities.

Our approach, based upon internationally recognised best practice in MPA management, has been conceived to promote ecosystem recovery and resilience, and improve our understanding of the marine environment and the role that MCZs, including no-take-zones, have in marine management. Importantly for the Welsh fishing industry and local communities, this approach will preserve their cultural and economic life, and secure traditional low-impact fisheries and recreational activities along with the related businesses.

The WFA believe that the adaptive co-management ecosystem-based model, once demonstrated successfully within the MCZs, could be applied more widely to other MPAs and wider Welsh seas where very real gains in terms of ecosystem recovery and resilience could be made.



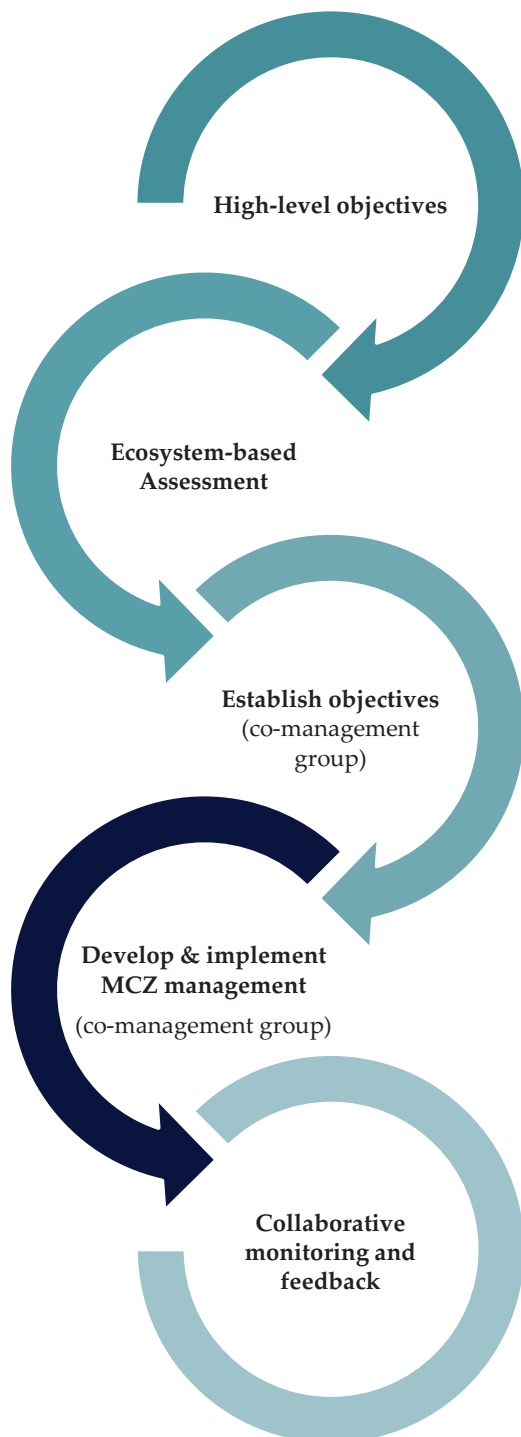
THE ECOSYSTEM-BASED MCZ CONCEPT

Key principles of the WFA Adaptive Co-Management Ecosystem-Based MCZ approach:

- 1. Welsh MCZs should be managed as multiple-use sites:** Multiple-use MCZs managed on ecosystem-based principles can deliver the win-win-win of environmental, fisheries and socio-economic gains for the sites and local communities.
- 2. Strong environmental protection but proportionate to risk:** WFA believes that sensitive habitats should be protected from damage and disturbance; it believes that the nature of this protection should be precautionary but proportionate to the risk.
- 3. Local solutions to local issues:** WFA proposes the establishment of MCZ adaptive co-management groups made up of relevant local sea users including fishermen, recreational anglers and conservation groups. The aim of these groups should be to develop locally applicable management in a bottom-up partnership process rather than a top-down imposition.
- 4. Management should be flexible and adaptive:** The natural world is highly variable and our understanding of it requires constant updating; MCZ management therefore needs to be adaptive and flexible to reflect this continuous change.
- 5. Evidence and knowledge-based management:** Fisheries and conservation management should be evidence-based rather than advocacy-led. Flexible and adaptive management will only be possible with a well-informed understanding of the marine environment and the ways in which we interact with it. The WFA stands ready to play a central role and accept its responsibilities in research and monitoring to provide the necessary data to management.
- 6. Compliance and enforcement:** WFA recognise that without widespread compliance with MCZ management measures, the protection of the marine environment would be jeopardised. Welsh fishermen are keen to embrace a new role as environmental stewards to ensure compliance within MCZs.

WFA Ecosystem-Based MCZ Management Model

The WFA adaptive co-management ecosystem-based MCZ model is best considered as a dynamic and iterative process that develops and adapts site-specific management over time. At the heart of the process are the MCZ site co-management groups made up of relevant statutory bodies and relevant sea users and stakeholders.



The role of the co-management groups is to develop and implement site specific management aimed to deliver high level objectives guided by Welsh, UK and EU policy.

WFA propose that an integrated environmental, fisheries and socio-economic assessment is carried out. This assessment will identify the risks to habitats and representative species from existing activities and the social, economic and cultural drivers that underpin these activities. The results from the assessment will provide the foundation upon which effective ecosystem management of MCZs can be developed.

The ecosystem-based assessment will highlight alongside the current good practice in the MCZ those activities that require better management. This information will enable the co-management group to set site specific management objectives for the MCZ.

The primary role of the co-management group is to develop locally applicable management measures aimed at achieving the site specific objectives.

MCZ management should be adaptive and flexible, constantly reviewed and revised in relation to feedback from monitoring and research. The WFA are willing to place a central role in monitoring and research so that researchers can take full benefit of our local ecological knowledge and expertise.



1. The principles of the WFA Welsh MCZ approach

This set of principles has been agreed by the 7 Welsh fishermen's associations and have guided the development of our proposals for an alternative approach to MCZ implementation in Wales.

Welsh MCZs should be managed as multiple-use sites: WFA believe that Welsh MCZs should be managed as multiple-use sites which reflect the traditional access to, and use of, the sites by commercial fishermen and other coastal stakeholders. At present in Wales, fisheries and conservation issues are managed in what often appears to be an uncoordinated and conflicting manner. There is also little management of recreational activities. The WFA believe that a joined-up or holistic approach, which acknowledges the high conservation value of these sites, but at the same time also acknowledges that current uses of the site are fundamental parts of the ecosystem, can deliver fisheries, environmental and socio-economic gains without serious economic and cultural impacts on local communities.

Multiple-use MCZs managed on adaptive co-management ecosystem-based principles can deliver the win-win-win of environmental, fisheries and socio-economic gains for the sites and local communities

Strong environmental protection but proportionate to risk: The WFA believes that the marine environment can be given high levels of protection without overly prohibited restrictions in many areas. The majority of current fishing activity within the proposed MCZs is predominately carried out using low-impact static gears and targeting mobile species that are not resident within them.

Whilst the WFA agrees that sensitive habitats and species should be protected from damage and disturbance, it believes that the nature of this protection should be proportionate to the risk, e.g. a fragile biogenic reef may require protection from mobile gears but the use of low-impact static gears should be able to continue.

A risk-based approach can provide high levels of environmental protection without overly-precautionary blanket closures

Local solutions to local issues: The adaptive co-management approach has been widely adopted to enable successful development and management of MPAs. The WFA proposes that local MCZ co-management groups are formed from relevant local sea users including commercial fishermen, recreational anglers and other relevant groups. The aim of these groups should be to develop locally applicable and flexible management strategy in a bottom-up partnership process rather than via a top-down imposition.

MCZ management that works in one area may not necessarily work in another; fishing, and other activities differ all around the Welsh coast and site management should reflect this

Management should be flexible and adaptive: The marine ecosystem is a dynamic system and subject to change and evolution. Management should not aspire to halt this process but should adapt to it. WFA believes that fisheries and environmental management should be flexible and reflect changes in the drivers of ecosystem dynamism whether these are in the natural environment, society and markets, or advances in our understanding of our effect on habitats and biodiversity.

Fishermen understand that inflexible management will not work in an environment that constantly changes in response to weather, climate and natural cycles in commercial species and wildlife.

The natural world is complex and variable, and our understanding of it is constantly improving. MCZ management therefore needs to be adaptive and flexible to reflect this

Evidence and knowledge based management: Fisheries and conservation management should be evidence-led to avoid needless and excessively precautionary restrictions which result in conflict, disengagement and non-compliance. Flexible and adaptive management will only be possible with a sound understanding of the marine environment and the ways in which we interact with it. The current MCZ process has already drawn together a great deal of ecological information about the proposed sites. The WFA would like to build upon this foundation by participating in research to increase our marine understanding and to play a lead role in the environmental monitoring and surveillance necessary to inform adaptive and flexible management.

Welsh fishermen are already supporting marine research in Wales by participating in University research e.g. the European Fishery Funded Welsh Fisheries Project at Bangor University. A number of fishermen have already demonstrated their ability to collect monitoring data to inform environmental assessments. The long-earned knowledge of their fishing grounds is gaining rapid acceptance as important information in our understanding of



TENBY HARBOUR, A TYPICAL BUSY SMALL WELSH PORT, HOME TO COMMERCIAL AND RECRATIONAL VESSELS

the marine environment. The WFA stands ready to play a central role in obtaining data and to accept its responsibilities for the conveyance of environmental information to management.

Adaptive co-management requires a comprehensive knowledge base of high quality information and data, and Welsh fishermen can play a central role in its development

Compliance and enforcement: WFA recognise that without widespread compliance with management measures, protection of the marine environment would be jeopardised. WFA believes that the local adaptive co-management approach proposed will promote high levels of compliance through the development of workable solutions and the development of a sense of ownership, and its members are keen to accept the role of stewards of the HPMCZs and to work closely with enforcement bodies to ensure such compliance within the industry and among other sea users.

Welsh fishermen support a new role as environmental stewards to ensure management measures are complied with inside Welsh MCZs



WELSH FISHERMAN USING HIS LOCAL KNOWLEDGE IN PURSUIT OF THE CATCH

2. WFA Ecosystem Based MCZ Management Model

The WFA have reviewed the literature on internationally adopted adaptive co-management (ACM) approaches and examples of best practice in fisheries and conservation management that are applicable in a Welsh context (see publications cited in the References below), and from this review, WFA have identified broad principles centred on an ACM ecosystem-based approach to MPA and fisheries management that recognize and balance societal requirements with conservation and environmental management.

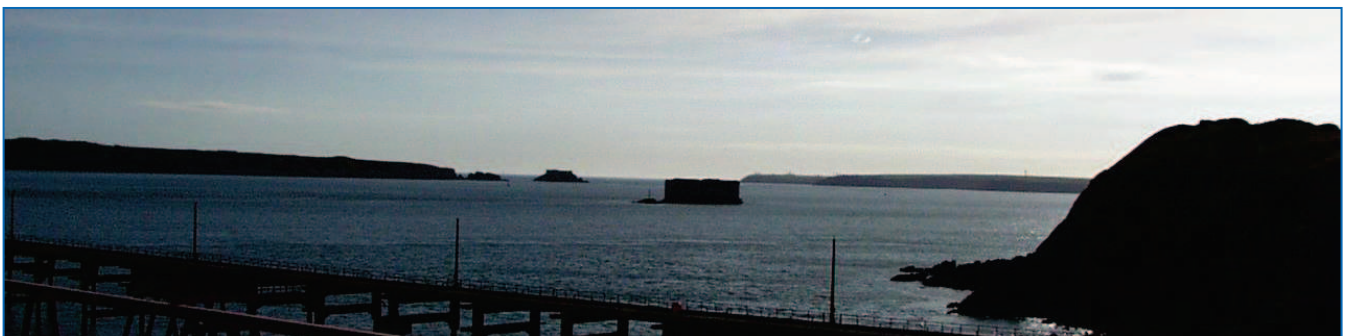
These include the following adaptive principles: complexity; uncertainty; diversity; resilience; adaptive cycle; adaptive capacity; self-organization; learning by doing; and experimentalism.

They also include the following co-management principles; participation; partnership; knowledge sharing; accountability; legitimacy; equity; empowerment; and transparency. These principles form the foundation of a pragmatic and balanced framework for managing a true network of MCZs in Wales.

The WFA propose a network of MCZs where high levels of protection are achieved through spatial management rather than prohibition of activities to achieve the aims of ecosystem recovery and resilience, and establishing a better understanding of the role that MCZs, including no-take-zones, have in marine management.

A great deal of work has been undertaken by Welsh Government agencies to collate physical environmental and ecological information that has been used to identify the proposed MCZ sites. The WFA acknowledge this effort and consider this body of work a valuable resource that can underpin evidence-led MCZ management. We want to build upon this database by working in partnership to ensure that Welsh MCZ management is securely founded on evidence .

We believe that our approach has the potential for wider application in Wales to deliver fisheries and biodiversity gains that promote ecosystem recovery and resilience not just inside MCZs but across the whole of Welsh seas. These approaches have the potential to contribute to the delivery of the Welsh Government's conservation and fishery policy commitments.



LOOKING TOWARDS DALE AND ST ANNES HEAD, MILFORD HAVEN

a. The international best practice MCZ management approaches applicable to Welsh MCZs

i. The ecosystem-based approach

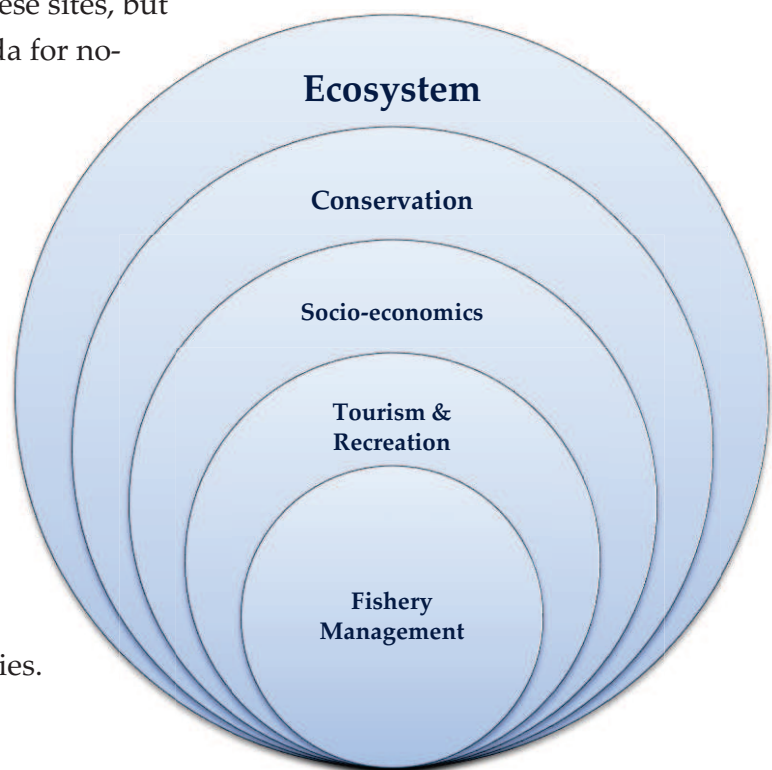
“An ecosystem approach is based on the application of appropriate scientific methodologies focused on levels of biological organization, which encompass the essential structure, processes, functions and interactions among organisms and their environment. It recognizes that humans, with their cultural diversity, are an integral component of many ecosystems.”

Excerpt from the definition of the ecosystem-based approach adopted by Convention on Biological Diversity 2000, and endorsed by World Summit of Sustainable Development in 2002

A social-ecological system (SES) approach to ecosystem-based management is a management approach that recognizes the need to consider the human dimension in managing the marine environment. This approach attempts to balance the requirements of resource use (e.g. fisheries and recreational access), the socio-economics of society and communities with those of environmental protection and conservation. The current implementation of MCZs in Wales does not adequately account for, or even acknowledge, the local or wider societal importance of these sites, but rather focuses on a narrow green agenda for no-take –zones.

Social-ecological system -based management has emerged as the primary approach for managing the natural environment and its resources. The SES ecosystem-based management approach is considered by many to be the basis of best practice in fisheries and conservation management, and is seen as the most viable model for the long-term management of sustainable fish stocks and environmentally sustainable fisheries.

Until recently coastal and marine management has been focused around specific uses such as fisheries, oil and gas extraction or nature conservation which



THE SOCIAL-ECOLOGICAL SYSTEM ECOSYSTEM-BASED MANAGEMENT CONCEPT

has resulted in separate governance regimes for each use. It has become readily apparent that this sectoral approach can result in conflicts among stakeholder groups and falls short in meeting the requirements for environmental protection. The shift away from the management of individual resources to an integrated SES approach is internationally recognised and promoted in the work of international organizations ranging from the International Oceanographic Commission, to the Food and Agriculture Organization, the United Nations Environment Programme, and the Global Environment Facility.

The FAO consider that the purpose of an SES approach to fisheries is:

“..to plan, develop and manage fisheries in a manner that addresses the multiple needs and desires of societies, without jeopardizing the options of future generations to benefit from the full range of goods and services provided by marine ecosystems..”¹

Without conflicting with nature conservation and natural resource objectives, SES ecosystem-based management considers at a fundamental level that the coastal communities and their related economic/social and cultural structures are integral parts of the ecosystem.

Perhaps most importantly from WFA’s perspective, SES ecosystem-based management addresses the varied processes of change within natural systems and resources that healthy ecosystems provide. As a consequence of our incomplete understanding of our marine environment and how we interact with it, SES ecosystem-based MCZ management will have to be fundamentally an adaptive, learning-based process that applies the principles of the scientific method to the processes of management. SES ecosystem-based management is an ongoing process and not an end-state and therefore requires a flexible organisational and governance framework to facilitate it. The WFA believes that a participatory and collaborative approach will deliver such a framework for managing MCZs in Wales.

The Convention on Biological Diversity has defined 12 principles for the SES Ecosystem Approach and the WFA asks that Welsh Government reflects on these when considering our proposals and in light of the likely impacts of the current MCZ policy (see next page). The CBD Principles are the keystone to the WFA’s proposals as they reflect and address many of the issues currently faced.

¹ The Ecosystem Approach to Fisheries. FAO Technical Guidelines for Responsible Fisheries 2003 – p.121

Convention on Biological Diversity has defined 12 principles for the SES Ecosystem Approach

Principle 1: The objectives of management of land, water and living resources are a matter of societal choices.

Principle 2: Management should be decentralized to the lowest appropriate level.

Principle 3: Ecosystem managers should consider the effects (actual or potential) of their activities on adjacent and other ecosystems.

Principle 4: Recognizing potential gains from management, there is usually a need to understand and manage the ecosystem in an economic context. Any such ecosystem-management programme should:

- Reduce those market distortions that adversely affect biological diversity;
- Align incentives to promote biodiversity conservation and sustainable use;
- Internalize costs and benefits in the given ecosystem to the extent feasible.

Principle 5: Conservation of ecosystem structure and functioning, in order to maintain ecosystem services, should be a priority target of the ecosystem approach.

Principle 6: Ecosystems must be managed within the limits of their functioning.

Principle 7: The ecosystem approach should be undertaken at the appropriate spatial and temporal scales.

Principle 8: Recognizing the varying temporal scales and lag-effects that characterize ecosystem processes, objectives for ecosystem management should be set for the long term.

Principle 9: Management must recognize that change is inevitable.

Principle 10: The ecosystem approach should seek the appropriate balance between, and integration of, conservation and use of biological diversity.

Principle 11: The ecosystem approach should consider all forms of relevant information, including scientific and indigenous and local knowledge, innovations and practices.

Principle 12: The ecosystem approach should involve all relevant sectors of society and scientific disciplines.

The policy drivers for SES ecosystem-based management

Welsh and UK Government are already committed to the implementation of an ecosystem-based management approach to natural resource and conservation management through a series of international, European and National policies and agreements. The UK's national commitment to marine ecosystem based management is through the Marine and Coastal Access Act 2009². The key European commitment is via the European Integrated Maritime Policy (IMP)³ via the Marine Strategy Framework Directive (MSFD)⁴ the reformed Common Fisheries Policy.

International agreements include the declaration of the Convention on Biological Diversity and the World Summit on Sustainable Development both of which promote the adoption of the ecosystem-based approach in resource management.

However, the ecosystem-based approach has often been interpreted too narrowly, applied only to the ecological elements of the ecosystem. What the WFA is claiming is that a true conception of the ecosystem-based approach must include the human as well as the ecological elements in the ecosystem. By using the term 'social-ecological system', this requirement is met.

Why is SES ecosystem-base management the appropriate model for managing fisheries and other activities within MCZs?

In Wales, as in the rest of the UK, due to a combination of societal, practical and jurisdictional factors, the majority of Marine Protected Areas such as Special Areas for Conservation, Special Protection Areas and Marine Conservation Zones are sited within 6 miles of the shore. Siting MPAs in these areas where the intensity of fishing (commercial and recreational) is high and where recreational activities are more common, brings into sharp focus the potential conflicts between human activities and nature conservation objectives. This is especially true when the MPA designation process does not



POT FISHING OFF THE LLYN PENNINSULAR

² Marine and Coastal Access Act 2009 http://www.legislation.gov.uk/ukpga/2009/23/pdfs/ukpga_20090023_en.pdf

³ An Integrated Maritime Policy for the European Union

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0575:FIN:EN:PDF>

⁴ Marine Strategy Framework Directive 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF>

adequately consider the potential economic impact on commercial stakeholders such as the fishing industry and on the adjacent coastal communities. Small scale fleets from ports in close proximity to an MPA are likely to bear the brunt of any loss of access to traditional fishing grounds as they are unable either to move to other areas or to access new fishing opportunities.

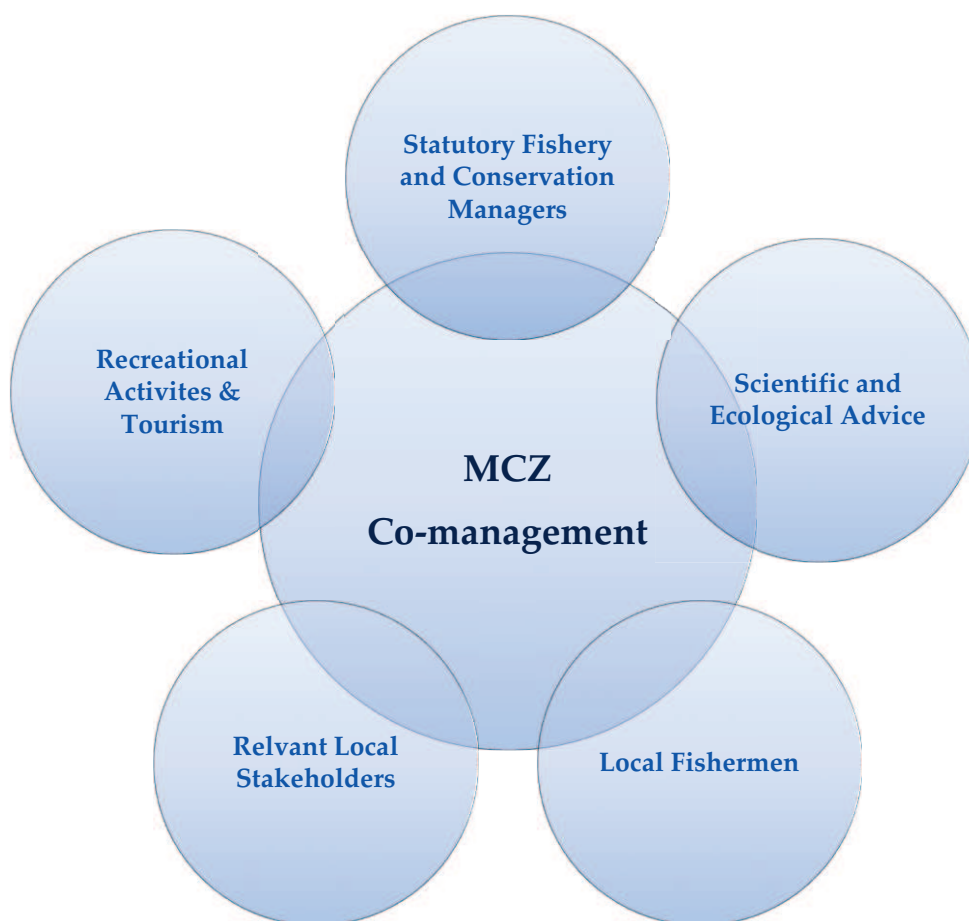
The consideration of fisheries, conservation and socio-economics explicit in SES ecosystem-based management makes it a viable approach for developing a framework for the management of Welsh MCZs. The application of the SES ecosystem-based management approach will enable managers and stakeholders to mitigate risk to sensitive sites, the wider ecosystem and commercial species and consequently maintain and secure the societal and economic services provided by the MCZ area. The SES ecosystem-based management model does not weaken or negate any of the conservation aims or objectives within the sites but ensures that appropriate management measures can be applied in a proportionate and focused manner thus reducing conflict with recreational and commercial sea users.

The WFA believe that an SES ecosystem-based management approach applied at a variety of spatial and temporal scales across Wales, can deliver significant biodiversity and fishery gains whilst minimising the all-too-common conflict between marine users.

ii. Co-management – partnership working

Co-management is widely considered by governments, environmental organisations and academics as central to the development and implementation of ecosystem-based management structures. The FAO and WWF both consider co-management to be a key tool in the delivery of the Ecosystem Approach to Fisheries.^{5,6} The UNEP describe participation and engagement as the cornerstones of effective ecosystem-based management.

Fisheries and conservation co-management is an organisational structure where the responsibilities of fishery and conservation management are shared between statutory managers and relevant coastal stakeholders. In the context of an MCZ these may include local commercial and recreational fishermen, tourism and recreational representatives and relevant local stakeholders including community groups and environmental interests.



A CONCEPTUAL MCZ CO-MANAGEMENT PARTNERSHIP

⁵ FAO Fisheries Department, 2003. The ecosystem approach to fisheries. FAO Technical Guidelines for Responsible Fisheries. No. 4, Suppl. 2. Rome, FAO. 2003. pp 112 <ftp://ftp.fao.org/docrep/fao/005/y4470e/y4470e00.pdf>

⁶ Policy Proposals and Operational Guidance for Ecosystem-Based Management of Marine Capture Fisheries www.panda.org/downloads/marine/WWF_EBMFisheries_FullDoc.pdf

What can MCZ co-management achieve?

Participatory Democracy: Fisheries and conservation co-management promotes a more democratic approach to management through placing fishery, community and conservation stakeholders at the heart of the decision making process that directly affects their livelihood and the economic and environmental concerns of their communities.

Shared Understanding and Compliance: The efficacy of site management is considered to be improved in co-management structures as management measures are more readily seen as legitimate and accepted when stakeholders have been involved in the decision-making process. Also, local knowledge of the site and activities leads to locally appropriate solutions, which engenders a better understanding within the group of the wider issues affecting all stakeholders and can act to reduce conflict and improve communication between disparate sectors. Compliance with management measures follows as a result of the process and development of better understanding of the issues.

Promotion of Evidence-Led Decision Making: A co-management structure is able to draw upon the capacity, expertise and knowledge of its fishery and conservation members whilst being supported by the scientific expertise and technical capacity of the statutory managers and scientific community involved. Very often resource constraints can hinder or prevent adequate data gathering to inform fisheries and conservation management. These constraints have resulted in overly-precautionary or poor decision making to the detriment of the fishery or conservation interests. Stakeholder participation, by providing information and assisting data gathering, can address data gaps and facilitate effective evidence-led decision making.



MUSSEL BEDS AT WHITEFORD POINT, GOWER

The co-management scale

There is no fixed formula or structure that describes a co-management framework; customized solutions and approaches can be developed to address local, regional or national requirements. Different co-management structures confer differing levels of responsibility and authority:

Instructive: There is minimal exchange of information between government and stakeholders in instructive systems. This type of co-management regime is only different from centralised management in the sense that the mechanisms exist for dialogue with users, but the process itself tends to be government informing users on the decisions they plan to make.

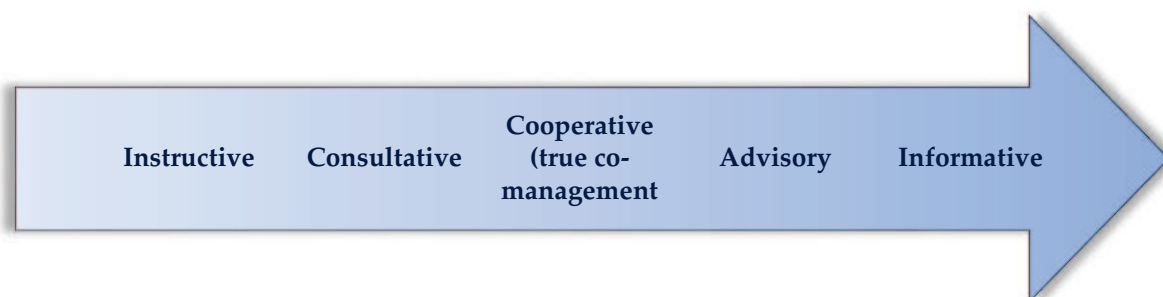
Consultative: Consultative systems have mechanisms for governments to consult with stakeholders but all decisions are ultimately taken by government.

Cooperative: This system is considered to be the definition of true of co-management. In cooperative management systems government and stakeholders cooperate together as equal partners in decision making.

Advisory: the balance of power and responsibility is weighted towards stakeholders who advise government of decisions to be taken and government endorses these decisions.

Informative: Government has delegated authority to make decisions to user groups who are responsible for informing government of these decisions. This is full self-governance.

State Control



Self-Governance

iii. Adaptive management – “learning by doing”

“The ecosystem approach requires adaptive management to deal with the complex and dynamic nature of ecosystems and the absence of complete knowledge or understanding of their functioning.”

Excerpt from the definition of the ecosystem-based approach adopted by Convention on Biological Diversity 2000, and endorsed by World Summit of Sustainable Development 2002

The adaptive management concept is fast gaining ground as the best practice approach to the management of complex and dynamic systems. The marine ecosystem is, by its very nature, highly dynamic. Despite advances in our understanding of Welsh seas many questions remain about the linkages among species, habitats, oceanography and climate. In managing MCZs, therefore, even in those sites where we have most information, uncertainty is unavoidable. Adaptive management is an iterative process which addresses ‘uncertainty’ by developing understanding by trialling and adapting alternative management measures. In other words, adaptive management is learning by doing.

“One must learn by doing the thing. For though you think you know it, you have no certainty until you try”

Sophocles 496-406 BC

Adaptive management is widely accepted by resource managers and is considered one of the most useful tools in dealing with climate change both in the sea and on land. Adaptive management is a central theme of the ‘Open Standards for the Practice of Conservation’⁷ published by the International Union for Conservation of Nature (IUCN), a partnership of environmental NGOs including WWF International. The United Nations Environment Programme considers an adaptive approach to be fundamental in marine and coastal ecosystem-based management⁸.

The EU Marine Strategy Framework Directive 2008 follows an adaptive management approach stipulating that Marine Plans are reviewed and revised on a 6-year cycle. Adaptive management is one of the five core principles of Defra’s Ecosystem Approach Action Plan, ‘Securing a healthy natural environment’⁹ which outlines Defra’s action plan for embedding an ecosystems approach into policy-making and delivery on natural environment matters (Defra, 2007).

⁷ Open Standards for the Practice of Conservation. The Conservation Measures Partnership 2007 – p. 40

⁸ Taking Steps toward Marine and Coastal Ecosystem-Based Management. UNEP 2011 – p. 68

⁹ Securing a healthy natural environment: An action plan for embedding an ecosystems approach. Defra 2007 – p. 60

Striking the Balance

The WFA believe that if Welsh MCZs, and Welsh territorial seas beyond them, are to be effectively managed, an adaptive approach is necessary, one where policy decisions and management measures are monitored to assess their effectiveness and then altered to reflect the consequent advances in understanding.



FISHING VESSEL AT FERRYSIDE

The Adaptive Management Framework (in the context of an MCZ)



Assess Issues: MCZ management issues are identified and defined by statutory bodies working in partnership with stakeholders. At this stage of the adaptive cycle, existing knowledge about the site should be collated to inform the assessment of the potential effects or outcomes of alternative management or operational actions. The predicted outcomes of potential actions enable the co-management group to identify the most locally appropriate actions that will meet high level conservation MCZ management objectives. It is at this stage that key information gaps and sources of uncertainty are identified

Plan: an MCZ management and monitoring plan is designed and agreed by the co-management group. This plan should outline management objectives, establish goals and targets and identify performance indicators. The plan should outline the underlying management strategies and define the locally appropriate management measures.

A complementary monitoring plan should be developed by the group aimed at delivering accurate and robust information on the efficacy of individual management options. The monitoring plan is intended to address the main 'uncertainties' and information gaps, using a robust scientific approach.

Implementation & Monitoring: the MCZ management plan is implemented. The monitoring plan becomes operational and data is gathered in partnership with stakeholders to determine the efficacy of the management actions. The results of the monitoring programme are used to test predicted outcomes and to increase our understanding of ecosystem component interactions.

Analyse and Review: The results of the monitoring programme are used to evaluate the efficacy of the management plan and identify priorities for revision.

Adapt: Management actions, operational details and objectives are revised based on monitoring results, our growing understanding of the MCZ function and feedback from stakeholders. The adaptive cycle continues, acting to increase understanding of the system and long-term processes.

Although the adaptive management cycle usually follows a formal time-table, revision and adaptation can and should occur as information becomes available within the cycle.

iv. Collaborative science and monitoring

The Principles of the Convention on Biological Diversity emphasise that SES ecosystem-based management should consider all forms of relevant information, including scientific and indigenous knowledge. Closely linked to co-management and key to enabling the adaptive management of MCZs, participative science is a key element of the WFA's vision for Welsh MCZ management.

Adaptive management requires the timely provision of good quality information in order to assess and adjust MCZ management. This may be costly and logistically difficult in a network of sites, but collaboration with fishermen and other coastal stakeholders can help address these barriers to information and provide unlooked for benefits through access to information and understanding.

Until relatively recently, fisheries and conservation management structures have overlooked the hard-won expertise of fishermen and other stakeholders. There is however a growing recognition of the value of the Local Ecological Knowledge (LEK) held by fishermen.

This collective knowledge, based upon centuries of traditional use and more recent experience working at sea, often includes profound insights into natural cycles in species and the environment. In particular this local ecological knowledge can help to contextualize more formal scientific interpretations of natural phenomena to inform MCZ management. By working at sea all year round, fishermen observe the seasonal changes affecting their target species and wildlife and often have a deep knowledge of the habitats and wildlife in their traditional fishing grounds.



SWANSEA UNIVERSITY RESEARCHERS WORKING WITH FISHERMEN IN LUNDY MCZ

Striking the Balance

The California Collaborative Fisheries Research Program, established in 1999, is a good example of how participatory science can play an integral role in protected site management by delivering high quality science and monitoring information¹⁰.

Welsh fishermen already collaborate with scientists and researchers from Universities and government agencies in a number of projects. For instance, the School of Ocean Sciences (SOS) (Bangor University) are embarking on a £2 million project to assess Welsh fisheries resources in partnership with Welsh fishermen; fishermen are working in partnership with SOS to develop low impact scallop gears. The CCW FishMap Mon project relies on fishermen's information to map fishing activity and develop sensitivity assessments. Individual fishermen participate in seabird and marine mammal surveys with CCW and NGOs. A series of native oyster surveys is being carried out by students from Aberystwyth and Swansea Universities using Welsh fishing vessels and drawing upon local knowledge.

Researchers from the Susfish project at Swansea University are leading the way in collaborative MCZ research at Lundy which goes well beyond using local fishing vessels as sampling platforms. The researchers have been working side-by-side with fishermen who play an integral part in the data collection; they have even been trained to take blood samples from protected lobsters within the no-take-zone.

The importance and potential of MCZs as important sites for study is not lost on WFA members: on the contrary, a key aim of Welsh MCZs is to improve our understanding of the marine environment and human effects on it. The WFA wish to build upon the relationships it has already established with the research community to develop new projects and studies to develop this understanding. It is expected that as part of these studies, scientific areas of appropriate sizes could be set aside as de facto no-take-zones for specific experiments or studies.



FISHERMAN TAKING LOBSTER BLOOD SAMPLE

¹⁰ <http://seagrant.mlml.calstate.edu/research/ccfrp/>

v. Spatial management – zoning and geofences

Spatial management or zoning is viewed as a key management tool for use in multiple-use Marine Protected Areas¹¹. The WFA believe that spatial management through zonation is a valuable tool for management of Welsh MCZs particularly where there is a need to protect sensitive habitats.

When informed by sensitivity risk assessments, zoning can define which activities can and cannot occur in different areas of an MPA in relation to the site conservation and resource management objectives. The use of zoning establishes the footprint of acceptable use by different activities and of development within the site. By identifying those areas of a site that are important for particular purposes such as the protection of sensitive habitats or nursery areas, or for research, anchoring, fishing and tourism activities, zonation helps to reduce or eliminate disturbance to the environment and conflict between sea users.

Importantly, zoning enables traditional access to MCZs by commercial fishermen and recreational sea users to continue whilst affording protection to sensitive habitats.

A system of zoning is currently being trialled in the Lyme Bay and Torbay candidate SAC. The cSAC is proposed for designation for the protection of bedrock reef, biogenic reef and sea cave habitat feature and the related flora and fauna those features support including fragile sponge, coral, sea fan and

bryozoan species. These habitats have been identified as being highly vulnerable to physical damage from mobile fishing gears (trawls and scallop dredges). In order to protect these habitats and enable fishermen to retain access to their traditional fishing grounds a spatial plan was



FV HARMONI, ONE OF THE WELSH FISHING VESSELS TRIALING INSHORE VMS TECHNOLOGY

¹¹ Guidelines for Management Planning of Protected Areas. IUCN 2003 – p.87

Striking the Balance

developed. A prerequisite for this plan being accepted by conservation managers was a means of ensuring high levels of compliance. This was provided by a newly developed inshore Vessel Monitoring System (iVMS) which can track permitted vessels in real time and alert management and enforcement bodies should a vessel cross into a prohibited area defined by a “geofence”.

This technology is currently being trialled by Welsh fishing vessels operating in Cardigan Bay and is considered by the WFA as a key tool in managing the valuable scallop fishery in operation there. The WFA believe that iVMS may be an important management mechanism to enable best practice spatial management within multiple-use Welsh MCZs.

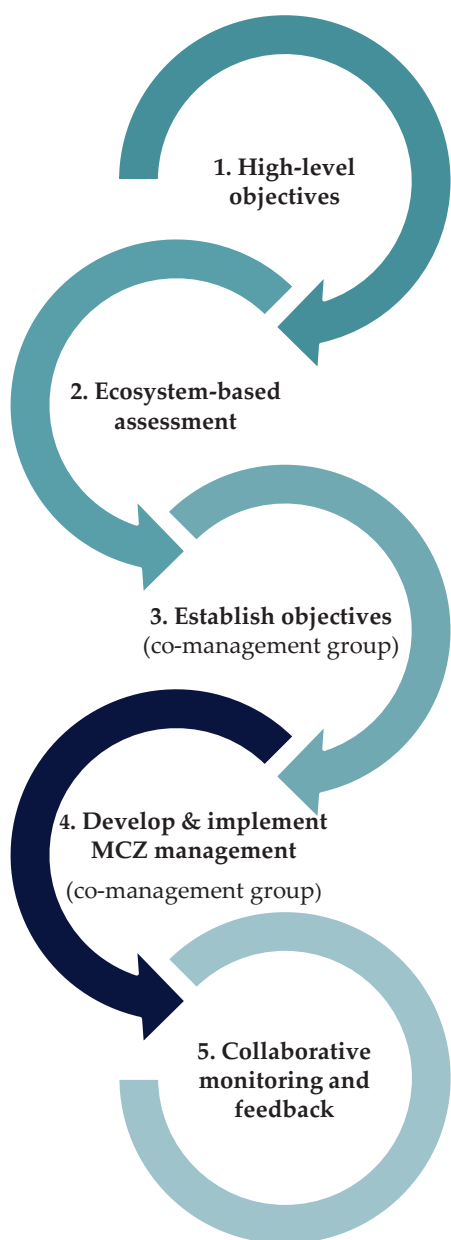


INSHORE FISHING VESSELS AT PORTHGAIN

b. Overview of the WFA SES Ecosystem-based MCZ management model

The intention of this section is to provide an overview of our model and explain the roles of each stage of the process and highlight the best practice approaches that have been applied. Detailed descriptions of best practice elements are provided in successive sections.

The WFA SES Ecosystem Based MCZ model is best considered as a dynamic and iterative process that develops and adapts site-specific management over time. At the heart of the process are MCZ site co-management groups made up of relevant statutory bodies and relevant sea users and stakeholders.



The role of the co-management groups is to develop and implement site specific management aimed to deliver high -level objectives guided by Welsh, UK and EU policy.

WFA propose that an integrated environmental, fisheries and socio-economic assessment is carried out. This assessment will identify the risks to habitats and representative species from existing activities and the social, economic and cultural drivers that underpin these activities. The results from the assessment will provide the foundation upon which effective ecosystem management of MCZs can be developed.

The ecosystem-based assessment will highlight alongside the current good practice in the MCZ those activities that require better management. This information will enable the co-management group to set site specific management objectives for the MCZ.

The primary role of the co-management group is to develop locally applicable management measures, including the use of zones, aimed at achieving the site specific objectives.

MCZ management should be adaptive and flexible, constantly reviewed and revised in relation to feedback from monitoring and research. The WFA are willing to place a central role in monitoring and research so that researchers can take full benefit of our local ecological knowledge and expertise.

1. High-level objective setting

It is important that the co-management groups are guided by a clear set of policy objectives and guiding principles. These should include high-level policy objectives laid out in Welsh, UK and EU legislation; these are the statutory drivers for MCZs and associated marine management. In future WFA hope that the interpretation and implementation of such policy drivers in a Welsh context can be done in partnership with stakeholders.

The existing conservation objectives for Highly Protected MCZs will need to be revised with stakeholders to reflect the proposed ecosystem-based approach for multiple-use MCZs.

Involvement of relevant stakeholders will provide an opportunity to develop a good level of general understanding and prevent situations where conflict might arise later in the process.

The co-management group should have an agreed set of Principles to guide its development and implementation of site specific MCZ management. It is envisaged by the WFA that these will reflect the SES ecosystem-based approach reflecting the shared aims of a healthy marine environment and a vibrant fishing industry and coastal economy.

2. Ecosystem-based assessment

A prerequisite for the development of effective management is a firm foundation of knowledge from which to identify management priorities and enable management objectives to be established. In order that MCZ adaptive co-management groups can develop effective site-specific management measures they first need to know which sensitive habitats and species are at risk from current commercial and recreational activities and where they are located. The co-management group also needs to understand the importance of these habitats and activities to the culture and economy of the local communities.

There are existing risk-based assessment approaches which focus on individual aspects such as habitat and species sensitivity or fishery sustainability. For example, the sensitivity matrix of pressures on MCZ/MPA features recently developed by MarLN/the Marine Biological Association of the UK for Defra¹² enables a rapid special assessment of seabed impacts of a variety of commercial and recreational activities within MCZs. Also, the Marine Stewardship Council pre-assessment framework¹³ measures individual fisheries against a set of conditions that it might be reasonable to expect a well-managed fishery to meet. Such assessments of fisheries occurring inside Welsh MCZs would highlight management shortcomings in need of attention and those fisheries that are already examples of sustainable best practice.

The challenge will be to organise these individual evaluations into an integrated (i.e. SES) ecosystem-based assessment. A potential solution may be to integrate the most suitable approaches into a fisheries Strategic Environmental Assessment (fSEA). A fSEA is a formalised

¹² Development of a sensitivity matrix (pressures-MCZ/MPA features). ABPMer, Southampton and the Marine Life Information Network (MarLIN) Plymouth: Marine Biological Association of the UK. 2011 – p.947

¹³ MSC Fishery Standard Principles and Criteria for Sustainable Fishing Vrsion 1.1. Marine Stewardship Council. 2010 – p 8

and structured way of assessing, and identifying appropriate mitigation, for the effects on the marine environment of a fisheries, in this context an MCZ, management framework. The wide-ranging focus of an fSEA enables assessment of a variety of factors such as the effects of management on biological populations of target species; the impacts on seabed features and wildlife; and the socio-economic effects on coastal communities. A number of Government and NGO organisations have suggested applying the SEA process to fisheries management in the same way that it has been applied to other marine industries such as offshore renewables and aggregates^{14,15}. The WFA are aware of an fSEA having been carried out in the UK; this work in the North Eastern Sea Fisheries Committee district may serve as a useful starting point for discussion¹⁶.

The WFA would like to work with the Welsh Government and relevant stakeholders to develop and agree a framework for an integrated ecosystem-based assessment to inform multiple-use MCZ management.

3. Establish objectives

The outputs of an SES ecosystem-based assessment will highlight issues that require management attention. Where the risk of impact is high the management should be precautionary in nature. The co-management groups then need to establish site specific management objectives (guided by the revised conservation objectives and high-level policy); establish goals and targets; identify performance indicators; and assign priorities to each objective.

This stage of the process enables the adaptive co-management group to focus its resources in an efficient and cost effective manner.

4. Develop and implement MCZ management

This can be considered to be the operational phase of the SES ecosystem-based MCZ management process. The adaptive co-management group is tasked to develop and implement locally applicable management measures aimed to achieve the agreed site management objectives along with corresponding monitoring. This may take the form of a management plan but given the adaptive nature of the process this would be a “live document” and subject to constant review and revision. It is at this stage that spatial management can be considered and implemented. It is envisaged that a typical MCZ management cycle will be annual or biannual depending on the management plan and urgency of priority issues. Nevertheless, the adaptive nature of the process should allow more timely adaptation to arising events or new information from monitoring or research.

¹⁴ The Application of Strategic Environmental Assessments in the UK Fisheries Sector. IEEP report to WWF. 2006 – p.71

¹⁵ Net Benefits, a Sustainable and Profitable Future for UK fishing. Prime Minister’s Strategy Unit. 2004 – p. 200

¹⁶ Pilot Shellfisheries Strategic Environmental Assessment – Environmental Report. Mott Macdonald report to NESFC. 2008 – p.166

Clearly close working with members from relevant statutory bodies will be necessary in order that management measures are legal and can be enforced. Although best practice can be promoted in MCZ site users through voluntary codes, where sensitive habitats and species are at risk there is a clear requirement for a statutory approach.

5. Collaborative monitoring and feedback

Adaptive and flexible MCZ management requires the timely provision of high confidence information in order to assess the efficacy of management and to inform adjustments of management measures.

It is envisaged that monitoring will be carried out in a participatory manner utilising local expertise and stakeholder knowledge from a wide group of sea users including wildlife groups, leisure boaters in addition to commercial fishermen. These stakeholders, allied with technical experts and scientific researchers may be able to deliver the necessary MCZ monitoring in a scientifically robust and a cost effective way.

The WFA envisage that Welsh MCZs may include NTZ areas set aside for well-founded scientific research. These modest but meaningful areas will help researchers and policy makers to better understand the utility of such areas in marine management and to use them as a measure against which to judge the success of the wider MCZ management.

3. Conclusions

Our approach, based upon internationally recognised best practice in MPA management, has been conceived to deliver high levels of environmental protection, to promote ecosystem recovery and resilience, and improve our understanding of the marine environment and the role that MCZs, including no-take-zones, have in marine management.

Importantly for the Welsh fishing industry and local communities this approach will preserve their cultural and economic life, secure traditional low-impact fisheries and recreational activities along with the related business.

The WFA believe that the SES ecosystem-based model described in this document, once demonstrated successfully within the MCZs, could be applied more widely to other Welsh MPAs to form a truly cohesive network by which very real gains in ecosystem and fishery recovery and resilience could be made.



WELSH POTTING VESSEL HEADING OUT FROM ABERYSTWYTH

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By e-mail

14th September 2012

Dear Sirs,

Re: National Assembly for Wales Inquiry into Marine Policy in Wales

We understand that the National Assembly for Wales' (NAW) Environment and Sustainability Committee plans to undertake a short inquiry into marine policy in Wales. The Royal Yachting Association (RYA) welcomes the opportunity to contribute to this inquiry and does so in collaboration with the Welsh Yachting Association (WYA).

The RYA is the national body for all forms of recreational and competitive boating. It represents dinghy and yacht racing, motor and sail cruising, RIBs and sportsboats, powerboat racing, windsurfing, inland cruising and personal watercraft. The RYA manages the British sailing team and Great Britain was the top sailing nation at the 2000, 2004 and 2008 Olympic Games.

The WYA is established to promote the sport of sailing, windsurfing and power boating in Wales and acts as the RYA Council for Wales. The WYA represents 85 affiliated member clubs and 64 registered Training Centres together. It is grant aided by Sports Wales and works closely with the National Watersports Centre in Plas Menai. With an estimated 25,000 club and individual members the WYA represents one of the biggest sports in Wales.

Questions

1. What progress has been made in relation to the development of marine spatial plans in Wales?

The Welsh Assembly Government (WAG) consulted on its approach to marine planning in Welsh waters between February and May 2011. This document made it clear that WAG (now Welsh Government, WG) intended to create a national marine plan in the first instance, with regional marine plans being developed if necessary at a later date. The RYA and WYA are not aware of any further progress on the development of marine spatial plans in Wales and it is our understanding that this delay may be due to some legal advice received by WG about

their proposed approach to marine planning. There may also be some resource related issues arising from the work being carried out in relation to marine conservation zones (MCZs). We do have some concerns about MCZs being identified before marine plans have been drawn up and agreed. There is the opportunity with marine plans to look at the totality of the activities underway on the coast and produce new data about their impact and the effect of existing designations. Under current arrangements there is the strong risk of identifying MCZs in isolation from new coastal data which marine plans will produce.

We would encourage WG to provide some clarity on the status of the marine planning process in Wales including a formal response to the stakeholder input to the most recent consultation in 2011.

2. What is the current status of marine protected areas in Wales and what role should the new marine conservation zones have in this network of protected areas?

Approximately 75% of the Welsh coastline and 36% of territorial seas are already protected by national or international legislation (including Special Areas of Conservation (SACs), Special Protection Areas (SPAs), intertidal Sites of Special Scientific Interest (SSSIs), intertidal RAMSAR sites and the Marine Nature Reserve at Skomer). The recent proposals from WG for marine conservation zones are designed to supplement the existing sites thus contributing towards a wider network of European Marine Sites.

The RYA and WYA have provided detailed comments on the WG's proposals for highly protected MCZs in our letter to the Marine Branch dated 30th July 2012 (a copy of which is included with this submission).

The RYA and WYA acknowledge the Welsh Government's (WG) commitment to the vision for 'clean, healthy, safe, productive and biologically diverse seas' and endorses this view. We are supportive of the WG's stated aim to maintain, improve and develop Wales' natural resources, to deliver benefit to the environment, people and economy of Wales now and in the future. We do however have concerns about the proposed role of MCZs in achieving this aim.

The 'highly protected' nature of proposed MCZs in Welsh waters would restrict and exclude a wide range of socio-economic activities from a number of coastal areas, many of which rely upon marine and coastal activities to support their local economy. The recent consultation from WG on MCZs makes it clear that the extraction and deposition of living and non-living resources plus all other damaging or disturbing activities could be banned within high protected MCZs – including anchoring, fishing (including potting), navigation and transit of vessels, recreational activities such as horse riding and dog walking and maintenance and operation of existing structures (including ports and harbours).

It is our view that this approach could be detrimental for recreational boating across Wales with subsequent impacts on the coastal economy. For example, recreational boating forms an integral part of the tourism market in north west Wales and the coast and marine economy in this region is predominantly, though not exclusively, tourism based. Any restrictions on activities that bring tourism to the area have the potential therefore to seriously affect the local economy. In addition, tourism is by nature a seasonal industry and the strong club network in North West Wales provides a valuable contribution to the local economy consistently throughout the year. Should navigation, vessel transit, anchoring, mooring and the maintenance of ports and harbours be banned it is likely that this will lead to a reduction in recreational boating activity around the coast of north Wales.

The considerable restrictions imposed by highly protected MCZs are proposed to be established through formal management measures (Nature Conservation Orders, Fisheries Orders and Risk Management Areas), the enforcement of which has the potential to require significant resources. Given that 'no one organisation has been identified as having overall responsibility for delivering effective management measures' we question whether such resources will be available following designation of the highly protected MCZs.

Furthermore, many of the measures in place to manage activity within existing marine protected areas in Welsh waters appear to be inadequately enforced due to a lack of resources. Given the current economic situation we would encourage the WG to consider whether it may be better to use the limited resources available to improve existing MPAs before designating new ones. Having responded to the recent consultation by WG on the creation of a Single Environmental Body (SEB) for Wales we are surprised by the lack of reference to this organisation in relation to enforcement. Given that the SEB is due to replace the Countryside Council for Wales (CCW) and Environment Agency Wales (EAW) should it be assumed that the relevant enforcement roles assigned to these organisations will be absorbed by the SEB?

We also have considerable concerns that the current MCZ proposals could severely limit the boating/sailing sectors' ability to contribute to the WG's 'Creating an Active Wales' Strategy. Active Environments are one of its key themes with an associated strategic aim of "developing and maintaining a physical environment that makes it easier and safer for people to choose to be more physically active". Within the listed priorities in the Active Environment section are "Ensuring that the natural and built environment encourages people to be physically active" and "to increasing availability, access and use of high quality local green space, waterways and the countryside". It is our view that the proposals to designate highly protected MCZs in Welsh waters could compromise achievement of these aims.

The RYA and WYA suggest that a review of the 'highly protected' approach to MCZs in Welsh waters may be beneficial. The concept of MPAs as proposed for Scottish waters through the Marine (Scotland) Act 2010, where the approach has been to minimise socio-economic impacts and encourage co-location wherever possible is, in our view, likely to be more successful. The approach laid out in the Welsh Fishermen's Association's recent report 'Striking the Balance' which champions adaptive management also, in our view, merits further consideration.

3. The development of the Welsh Government's functions in relation to marine licensing (and fisheries) and whether this has been effective?

WAG (now WG) undertook two consultations in relation to the development of their function in relation to marine licensing in December 2010 and January 2011. The first laid out the proposals for replacing FEPA and CPA consenting with the new marine licensing system, including details on the process of applying for a licence, how to make appeals, exemptions against licence decisions, public register, enforcement and appeals against statutory notices. The second dealt with the interim approach to marine licensing fees for 2011. This was followed by the publication of 'Interim Marine Licensing Guidance' on the 6th April 2011.

The RYA and WYA remain supportive of the WG's more streamlined approach to marine licensing. Work continues to embed the finer details of the new system within the Marine Consents Unit (MCU) however the feedback we have received from our members to date indicates generally a good level of service. The staff at the MCU have gained a considerable amount of experience in dealing with licensing in the marine environment and this expertise is fundamental to the successful running of this unit. We have in the past raised concerns about the proposals to migrate this function across to the new Single Environmental Body (SEB) and we echo them here. Unless the existing MCU staff are migrated across to the SEB along with the licensing function we have serious concerns about the loss of expertise and experience. A similar process in England which saw the licensing function moving from the Marine Fisheries Agency (MFA) to the Marine Management Organisation (MMO) caused and continues to cause delays in the licensing process due to a lack of expertise. We would urge WG to consider this matter seriously in order to avoid a similar outcome for Wales.

We have a number of further points which we feel require immediate attention.

The 'Interim Marine Licensing Guidance' states clearly that 'you will need a marine licence to remove biological growth at sea from a vehicle, vessel, aircraft or marine structure if this leads to a deposit in the sea'. As we pointed out in our response to the WAG's consultation on the secondary legislation for marine licensing (letter dated 9th December 2010) it is not clear whether this applies to individual boaters or commercial operators offering an in-water hull-cleaning service. It would be extremely difficult for the MCU to enforce a requirement for all private boat owners to hold a marine licence to clean their hulls in the water and the administrative cost as well as the resource cost would likely be disproportionate to the benefit (provided their vessel is not being used for commercial gain). Furthermore, the cost associated with obtaining a licence may discourage boaters from cleaning their hulls regularly which could have implications for biosecurity.

The RYA and WYA have invested a significant amount of time over recent years raising awareness in relation to biosecurity and providing guidance and encouragement on best practice through its environmental initiative The Green Blue. We continue to work closely with the regulatory authorities on this matter and are contributing to the forthcoming Life+ bid led by Countryside Council for Wales which seeks to improve understanding of pathway management in relation to non-native invasive species. It is our view that this element of the marine licensing system contributes some confusion to the debate on best practice in relation to non-native invasive species and further clarity is required.

Similar proposals were included in earlier consultation documents relating to the marine licensing system brought in under the Marine and Coastal Access Act 2009 in England and under the Marine (Scotland) Act 2010 in Scotland; this item also featured in the original plans for the new marine licensing system in Northern Ireland. Further to the RYA providing more information on the implications of such proposals, the MMO, Department of Environment in Northern Ireland and Marine Scotland all made it clear that a marine licence will **not** be required by individual boaters in relation to hull scrubbing. The RYA and WYA would welcome the opportunity to discuss this matter further with WG.

Given the WG's proposals to form the SEB and the intention for marine licensing to migrate across to the new body, it is our understanding that the review of fees originally planned for 2012/2013 is currently on hold. We would take this opportunity therefore to reiterate our hope that this review when it takes place recognises that many small-scale applications present a low environmental risk and that the costs to the applicant reflect this, and are not disproportionate to this risk and/or the impact on other sea users.

If the migration of the marine licensing function across to the new SEB does take place it provides an opportunity to review all aspects of the new system and the RYA and WYA would be keen to contribute to this, particularly on the subject of exemptions e.g. hull scrubbing by individual boaters. The RYA has been working for some time with the MMO in England on the issue of exemptions under the new marine licensing regime. Considerable progress has been made on this subject and we look forward to WG taking a similar approach in the near future. We would be happy to provide more details on this if that would be helpful.

The RYA and WYA have no remit in relation to fisheries though we acknowledge that the effective management of fisheries, and specifically inshore fisheries, is important for the sustainable management of the marine environment as a whole.

4. What progress has been made by the Welsh Government in the implementation of key European Directives?

The RYA and WYA have been engaged with WG in relation to the Water Framework Directive, WFD, (2000/60/EC) and the Marine Strategy Framework Directive, MSFD, (2008/56/EC).

The first round of River Basin Management Plans (RBMP) for Wales was completed in 2009 in line with the requirements of WFD. We note that recreational boating is not a Significant Water Management Issue at this time. The Environment Agency has published the 2011 results for surface water classification in England and Wales under the Directive. Work is now underway to take forward the actions identified in the RBMPs and the Environment Agency is starting to focus on the second round of RBMPs. The RYA and WYA are consultees in this process and will continue to contribute as the second round progresses.

Progress on WFD has been in line with the requirements of the Directive thus far although it is anticipated that a number of improvements will be made with the second round of RBMPs. The reports themselves for example are extremely large and unwieldy documents which are difficult to interrogate without guidance from the EA. Galvanising stakeholder engagement in delivering the actions identified in the RBMPs has therefore been difficult. We are encouraged by the good working relationship between EAW and EA and it is clear that experience is being shared across the piste. We hope that this relationship continues with the formation of the SEB.

Development of the MSFD in the UK has been led by Defra and has been to date, in our opinion, extremely well managed. WG have been contributing to this process and it is clear that there is excellent communication between the WG Marine Branch and Defra on this matter. The RYA and WYA have been involved in MSFD for some time now however this

engagement has been primarily with Defra. It is our understanding that WG have yet to make decisions about how, if at all, any of the measures and targets identified under MSFD for the UK may be varied for Welsh waters.

5. Whether there is sufficient cooperation and coordination between the Welsh Government and its neighbouring administrations in relation to the management of its seas?

As alluded to in a number of our responses thus far in general it is our view that the relationships between WG and its neighbouring administrations in relation to the management of its seas are generally very good within the resources available to WG. A notable exception is the lack of engagement with the Irish Sea Marine Conservation Zone (ISCZ) Project which WG chose not to participate in. Given the potential for this project to result in impacts on Welsh sea users we were surprised that WG did not have more opportunity to contribute to this work. We note however that representatives from the Countryside Council for Wales formed part of the Project Board for the ISCZ project and that the NAW had a place on the Stakeholder Group.

6. Whether the Welsh Government has sufficient financial and staff resource to deliver on its marine policy and legislation objectives?

The RYA and WYA are not in a position to make formal comment on whether or not the WG has sufficient financial and staff resource to deliver on its marine policy and legislation objectives. We can however provide general observations based on our experience of interacting with the Marine Branch at WG. The staff in this department appear to be extremely competent and well informed however it is evident that they are incredibly busy for such a small team. This has become particularly apparent with the MCZ consultation process when it has been clear that the volume of responses, queries and comments being made has been somewhat overwhelming. Given the considerable development of marine policy in recent years we would suggest that expanding the resource within the Marine Branch may be beneficial.

In terms of the wider application of marine policy and legislation it is not clear at this stage whether sufficient financial or staff resource can be committed. As mentioned in our answer to question 2, the enforcement of management measures associated with the proposed MCZs is likely to require significant resource if the highly protected approach continues. As many of the measures in place to manage activity within existing marine protected areas in Welsh waters appear to be inadequately enforced due to a lack of resources, it is uncertain how resources can be allocated to meet the increased demand presented by designation of MCZs.

7. Whether stakeholders have been sufficiently involved in the shaping of new policies and the development of legislation?

The level of stakeholder engagement in the shaping of new policies and the development of legislation has in our view been somewhat mixed. When developing the secondary legislation under the Marine and Coastal Access Act 2009 detailed and regular consultation was undertaken with good feedback for the most part. Both the RYA and WYA have been

consulted on all matters both formally through the written process and informally through discussion with members of Marine Branch.

The RYA and WYA also hold membership of the Wales Coastal & Maritime Partnership (WCMP) and has been consulted as a member of this partnership on all matters of marine policy. The WCMP is an extremely useful forum for debate and hopefully provides a useful sounding board for the Marine Branch in their development of policy. The formation of working groups under the auspices of the WCMP to provide input on specific areas of policy, such as the Stakeholder and Citizen Engagement Group in relation to the MCZ process, is particularly constructive.

Given the positive experiences we have had in the past with WG we were disappointed with the approach that was taken to consultation in relation to MCZs. It is clear from discussions with our clubs and members across Wales that there is strong criticism of the consultation process to date. The lack of consultation with local stakeholders has caused considerable disquiet as people have become concerned about the potentially significant socio-economic impacts on the activities of their clubs and training centres. The RYA and WYA would encourage WG to consider more thorough stakeholder engagement in the MCZ process going forward; lack of local support for any protected area is likely to compromise the successful management of the site.

I hope the comments provided in this letter are useful. On behalf of the RYA and WYA I would be prepared to give oral evidence during the autumn term 2012 if that would be helpful. If you wish to discuss any of the issues raised in this letter then please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Caroline Price', is written over a light grey rectangular background.

Caroline Price
RYA Planning and Environmental Advisor



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By e-mail

30th July 2012

Dear Sirs,

Re: Marine Conservation Zones (MCZs) Potential Site Options for Welsh Waters

We refer to the Welsh Government's (WG) consultation in relation to the above. We set out below our response to the consultation paper.

The RYA is the national body for all forms of recreational and competitive boating. It represents dinghy and yacht racing, motor and sail cruising, RIBs and sportsboats, powerboat racing, windsurfing, inland cruising and personal watercraft. The RYA manages the British sailing team and Great Britain was the top sailing nation at the 2000, 2004 and 2008 Olympic Games.

The Welsh Yachting Association (WYA) is established to promote the sport of sailing, windsurfing and power boating in Wales and acts as the RYA Council for Wales. The WYA represents 85 affiliated member clubs and 64 registered Training Centres together with an estimated 25,000 participants in the sport in Wales. It is grant aided by Sports Wales and works closely with the National Watersports Centre in Plas Menai.

General Comments

The RYA and WYA acknowledge the Welsh Government's (WG) commitment to the vision for 'clean, healthy, safe, productive and biologically diverse seas' and endorses this view. We are supportive of the WG's stated aim to maintain, improve and develop Wales' natural resources, to deliver benefit to the environment, people and economy of Wales now and in the future. We have already provided comments on the WG's consultations in relation to marine licensing and marine planning in Wales, and also in reference to the holistic approach laid out in *A Living Wales*. The RYA's and WYA's position on such matters is therefore known to the Marine Branch of WG and the comments provided in this letter should be taken within the wider context of our previous submissions. In addition, the RYA has produced a

position statement in relation to marine protected areas, a copy of which is included with this letter.

The RYA and WYA concur that the success of natural resource management should be judged by 'improved outcomes for our environment, our people and our economy'. Such an integrated approach is consistent with the WG's commitment to sustainable development however, it is not clear at this time how this will be achieved having regard to *Catching the Wave* (2004) the existing activity tourism strategy for watersports, *Making the Most of Wales's Coast* (2007) the Integrated Coastal Zone Management Strategy for Wales and *Coastal Tourism Strategy* (2008). We also have concerns that MCZs are being identified before marine plans have been drawn up and agreed. There is the opportunity with marine plans to look at the totality of the activities underway on the coast and produce new data about their impact and the effect of existing designations. Under current arrangements there is the strong risk of identifying MCZs in isolation from new coastal data which marine plans will produce.

The RYA's and the WYA's primary objectives of engaging in the consultation process regarding the development of HPMCZs are to protect the public right of navigation and to ensure, as far as possible, that recreational boating interests are not adversely affected by the designation of such HPMCZs. We are particularly concerned therefore by the implication that the right to make passage through an HPMCZ may be compromised. The answer to FAQ C7 states 'Navigation through sites should be able to continue...' however Box 1 in Part 4 of the consultation document includes 'navigation and transit of vessels' as a potentially damaging or disturbing activity that may be excluded. We would like to take this opportunity to remind WG of the United Nations Convention on the Law of the Sea (UNCLOS 1982) to which the UK is a signatory. This establishes the right of 'innocent passage' in territorial waters. Furthermore, the public right of navigation in tidal waters has existed in Britain since before Magna Carta. The proposals to exclude transiting vessels from within HPMCZs appear to be in conflict with this and UNCLOS. The lack of clarity on this particular matter has been the cause of much concern amongst the boating public and we would encourage WG to provide transparency over this issue as soon as possible.

We are also greatly concerned by the fact that 'the installation of navigational aids will be incompatible with the conservation objectives of a HPMCZ and therefore would not be allowed'. Navigational aids are installed for the safety of all mariners and are essential to safe navigation in UK waters. In the busy north Menai Strait, for example, they delineate the safe channel between Dinmor Bank and Ten Feet Bank, through Puffin Sound and into the Strait, helping mariners to avoid the dangers of the Lavan Sands and the Hoveringham wreck; it is likely that their absence would place lives in real danger. Trinity House as the General Lighthouse Authority (GLA) is primarily responsible for installing navigation aids and takes decisions about where they should be located following consultation with the Maritime and Coastguard Agency (MCA), the RYA and others. It is our understanding that only those aids that are essential for safety purposes are installed. The RYA and WYA would object to the deployment of navigational safety aids being determined on ecological grounds and would encourage WG to revisit this matter. We understand from discussions with WG officials that it is not the intention of WG to remove existing navigational aids however we would point out that this is not clear in your consultation document and seek confirmation that this is indeed the case. In any case, existing navigation aids require regular maintenance

and eventual replacement and it appears that this activity would equally be restricted under the present proposals.

It is clear from the proposals laid out in this consultation document that it is the intention of WG to prohibit anchoring within HPMCZs as this activity is seen as being 'incompatible with the conservation objectives'. As mentioned above, the public rights to navigation in tidal waters have existed in Britain since before Magna Carta and this includes the incidental activity of anchoring. We understand that there may be circumstances in which restrictions on anchoring may be proposed and we would like to draw your attention to the relevant section of the RYA's position statement on MCZs which states:

In areas where restrictions on anchoring are proposed, the RYA's policy position is that such restrictions:

- should only be introduced if sound scientific evidence confirms that a particular protected feature and vessel anchoring cannot reasonably co-exist in a particular area.
- should be confined to the specific parts of an MCZ/MPA in which anchoring and the protected habitat or wildlife feature cannot reasonably co-exist.
- should not be imposed unless it can be demonstrated that the relevant habitat and/or wildlife feature is present in the area to be protected, and that such a restriction will be effective in protecting it.
- should not be imposed unless it can be demonstrated that such a restriction will be enforceable and enforced.
- should not be imposed unless the area in which it is to be applied is properly marked on navigational charts and/or by physical marking such as buoyage
- should not be imposed unless appropriate alternative facilities or management measures are available or made available in the locality in which the restriction is to be applied.

The RYA and WYA will continue to object to bans on anchoring unless we are confident that the points above have been addressed. While understanding that the Marine and Coastal Access Act 2009 includes a provision that allows anchoring in HPMCZs in circumstances when there is a danger to life, good seamanship often involves taking measures including anchoring before there is a danger to life, for example to free a fouled propeller or to avoid running onto rocks; restrictions on anchoring may well result in delayed respite and riskier decision making.

We understand that having presented 10 potential sites as options for further consideration WG intends to designate no more than 3 or 4 sites. Whilst we welcome the fact that the restrictions associated with HPMCZs will only cover 3 or 4 areas, we are concerned that a socio-economic impact assessment will only be undertaken at a later stage once the 3 or 4 sites have been selected. It is not clear from the consultation document what socio-economic data has been used to draw up the initial list of 10 potential sites and how if at all, site selection took account of economic impacts on coastal communities around Wales. We look forward to learning more about the socio-economic impact assessment to be undertaken for HPMCZs and contributing to this process.

Whilst noting that it is only possible to set out general management measures at this time we would like to take this opportunity to comment on the information provided in part 4 of the consultation document. We are pleased that WG have recognised that management measures are only likely to succeed if users are aware of them; this is particularly true for boaters in relation to any 'zoning' that may take place within the boundaries of HPMCZs. It is our view that zones of restricted activities such as anchoring must be clearly marked with buoys that are easily visible to mariners at all times of the day and night. We are concerned that such demarcation may however be considered, as indeed they are, a type of navigation aid and therefore be incompatible with the HPMCZ. Without clear delineation of restricted areas within HPMCZs it is our view that boaters could not reasonably be expected to observe such management measures. As recreational boaters often travel from one part of the UK to another it will be essential that whatever marking buoyage is chosen is consistent throughout UK waters. We would urge WG to address this issue in collaboration with Defra, Marine Scotland and the DOE in Northern Ireland to ensure consistency in this matter.

The enforcement of formal management measures (Nature Conservation Orders, Fisheries Orders and Risk Management Areas) has the potential to require significant resources; given that 'no one organisation has been identified as having overall responsibility for delivering effective management measures' we question whether such resources will be available following designation of the HPMCZs. Many of the measures in place to manage activity within existing marine protected areas in Welsh waters appear to be inadequately enforced due to a lack of resources. Given the current economic situation we would encourage the WG to consider whether it may be better to use the limited resources available to improve existing MPAs before designating new ones. Having responded to the recent consultation by WG on the creation of a Single Environmental Body (SEB) for Wales we are surprised by the lack of reference to this organisation in relation to enforcement. Given that the SEB is due to replace the Countryside Council for Wales (CCW) and Environment Agency Wales (EAW) should it be assumed that the relevant enforcement roles assigned to these organisations will be absorbed by the SEB?

The RYA and WYA are very supportive of voluntary agreements and codes of conduct. It is our view that such approaches give ownership of the issue in question to the users of a particular area leading to wider community engagement and observance of any restrictions. In addition voluntary approaches demand fewer resources and would be in our view more proportionate given the lack of data that exists about the relative impacts of certain activities. It would also be more in line with the management of existing marine protected areas, particularly in north Wales. The Pen Llŷn a'r Sarnau marine SAC for example has a long history of being managed successfully with local stakeholders including recreational boaters. The RYA and the WYA have considerable experience in facilitating voluntary behavioural change through its environmental programme The Green Blue. The on-going success of this programme illustrates the value of providing people with the information to understand and advice on how best to make sustainable choices. In our experience this approach leads to the long-term adoption of best practice and a growing appreciation of the value of the environment in which people go boating.

It is important to realise however that voluntary agreements and codes of conduct still require administrative support in order to coordinate the local community, produce resources and often manage a supporting website. The Pembrokeshire Coast National Park

Authority has a voluntary code of practice for recreational users which has been embraced by the recreational community. We are aware however that due to lack of funding there are likely to be issues with continued awareness raising and general communication about the code. It is essential that these elements of the voluntary approach are not ignored in any cost: benefit analysis.

We are pleased to note that WG recognises the need to establish a meaningful baseline against which monitoring of HPMCZs can take place. It is not clear from the consultation document however who will be responsible for carrying out the monitoring. As well as gathering ecological data, monitoring of HPMCZs should also gather data on the effectiveness of certain management measures. Furthermore, it will be essential to monitor whether the socio-economic costs restricting certain activities are balanced by the benefits to the relevant ecological features. Management measures should form part of the 6 yearly review programme for MCZs and we would expect that any measures found to be ineffective or disproportionate to be altered or lifted as appropriate.

Finally, it is clear from discussions with our clubs and members across Wales that there is strong criticism of the consultation process to date. The lack of consultation with local stakeholders has caused considerable disquiet as people have become concerned about the potentially significant socio-economic impacts on the activities of their clubs and training centres. The RYA and WYA would encourage WG to consider more thorough stakeholder engagement in the MCZ process going forward; lack of local support for any protected area is likely to compromise the successful management of the site.

Site Specific Comments

The RYA and WYA have strong concerns about the proposed HPMCZs on the north west coast of Wales. This area is particularly important for recreational boating and a number of the sites that have been proposed provide essential anchorages in inclement weather. Furthermore, recreational boating forms an integral part of the tourism market in north west Wales and the coast and marine economy in this region is predominantly, though not exclusively, tourism based. Any restrictions on activities that bring tourism to the area have the potential therefore to seriously affect the local economy. In addition, tourism is by nature a seasonal industry and the strong club network in north west Wales provides a valuable contribution to the local economy consistently throughout the year. Specific examples are provided below on a site by site basis.

Puffin Island

A small anchorage is located on the south side of Puffin Island which is used by recreational boats in inclement weather. The Royal Dee Yacht Club have class racing in this area making use of the existing navigation buoys. Small craft racing also takes place here and given the nature of these vessels, most of which do not have engines, in the event of a sudden change in wind conditions anchoring is required for crew safety.

The area is also used for the Menai Strait regatta which brings in around 100 boats over 14 days every August. This provides an invaluable boost to the local economy with an estimated

2500 'bed nights' for accommodation providers in the area. Prohibiting vessel transit in this area would put this annual event in jeopardy.

A wealth of other club racing also takes place in this location, including the round Anglesey Offshore race, all of which would be compromised should vessel transit be banned in the proposed HPMCZs.

Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ at Puffin Island the RYA and WYA would object. In our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

North East Menai Strait

This area includes the navigable channel for the Menai Straits which is used by recreational and commercial traffic exiting or entering the Straits via Puffin Sound. For continued safe navigation within this channel marker buoys are required on both sides as they demarcate the area within which a safe navigable depth exists at all states of the tide. The Ten Feet Bank and Dinmor Bank buoys, Trwyn Du lighthouse, Puffin Sound Perch, the Hoveringham Wreck Buoy, buoys B1,B2,B3,B4,B6 and B8 are all vital aids to safe navigation in the Puffin area and in the North East straits area. All of these will need maintenance and replacement over the years. Should navigation aids be banned in these locations the implications for navigational safety would be severe.

The area in to the north west of the proposed HPMCZ boundary is the only sheltered water from any northerly wind and is used as a safe haven in such weather conditions. Should anchoring be prohibited in this location the nearest alternative is Beaumaris; travelling the extra 5.5km could compromise the safety of mariners in difficult weather conditions.

The Menai Straits and waters around Anglesey are notoriously dangerous and as a result the lifeboat station at Beaumaris is one of the busiest in the UK. Prohibiting anchoring and banning navigation aids in the proposed HPMCZs at Puffin Island and the North East Menai Strait could increase the number of vessels requiring assistance from the RNLI within this already busy sea area.

Suggestions received from local members for possible alternatives include The Swellies in the Menai Strait, and Great Orme Head (which has similar habitats to Puffin Island without the deleterious implications for recreational boaters).

Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ in North East Menai Strait the RYA and WYA would object. In our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

North Lleyn Peninsula

North Lleyn is used by coastal traffic heading from Caernarfon Bar and Porthdinllaen towards Ireland or Bardsey Sound. To the best of our knowledge it would be unusual for recreational craft to anchor or moor in this area rather taking advantage of the better conditions offered at Porthdinllaen which lies outside of the proposed boundary.

Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ in North Lleyn Peninsula the RYA and WYA would object. In our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

Bardsey Island

Bardsey Sound is regularly used by traffic heading from Caernarfon or Holyhead towards Cardigan Bay. The proposed HPMCZ boundary includes the whole island, including the harbour and the anchorage.

Whilst not heavily used the harbour and anchorage on Bardsey Island are the only refuges for anchoring if mariners are caught by the very fast tides that surround the island. It is very difficult to avoid Bardsey Island when making passage to Anglesey or Ireland and if the weather and tide conditions are challenging the harbour/anchorage offer invaluable resting points. In addition, the harbour offers the only access to Bardsey Island for seafaring visitors.

Should the Bardsey Island be progressed as an HPMCZ the RYA and WYA require that the boundary is changed to exclude the harbour and anchorage. Should the proposals extend to prohibiting vessel transit in this area however both organisations would continue to object.

St Tudwal's Island East & Llanbedrog

The RYA and the WYA have strong objections to this site due to its importance for recreational boating in north Wales. The boundary of this proposed HPMCZ contains a number of sailing clubs including Pwllheli which hosts part of the UK national sailing academy network.

These are the only such facilities in Wales for the sport of sailing. In the last six years Pwllheli has hosted four World Championships and by the end of this season 26 UK championships will have been held as well. These events have attracted competitors from over 30 countries on four continents and have truly placed Pwllheli on the World stage.

The strategic importance of Pwllheli as an international sailing events venue has been confirmed with the investment by the WG, WEFO and Cyngor Gwynedd of £8.3m in the new Welsh National Sailing Academy and Events Centre facility that will be completed by winter

2013/14. Any proposals to restrict racing by yachts and dinghies, laying of marks and anchoring would undermine the activities and business of the National Academy and threaten its international reputation.

The proposed HPMCZ poses a significant threat to the activities and business of Pwllheli Sailing Club (a not-for profit enterprise) by virtue of the proposed management measures that could restrict navigation for all members and ban anchoring generally. There are adverse consequences for our cruising members with the proposals throughout Welsh waters. It is likely that the proposed HPMCZ would result in a decline in club membership and the displacement of recreational sailors to other locations. As a consequence there would be a loss of boats from Hafan Pwllheli and a deleterious impact on local commercial marine traders.

South Caernarvonshire Yacht Club is also located within the boundary of this proposed HPMCZ. An extremely successful club, SCYC operates a seasonal launch service to members who moor their yachts seasonally approximately 250 yards off the headland. These moorings have been in place for the lifetime of the club (around 100 years) and are regularly used by boaters who through participation with the club support the local economy.

The area off Llanbedrog is also an important anchorage in unsettled weather; this site along with East Tudwals provides important shelter from westerly gales.

Given the significant level of recreational boating activity in this area and the importance of this activity to the local economy the RYA and WYA object to the proposed HPMCZ at St Tudwal's Island East & Llanbedrog. Specifically we object to vessel transit and anchoring being prohibited as in our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

Mouth of Dwyfor

This is a popular boating area between Pwllheli and Porthmadog in Tremadog Bay. Part of this site is used as an anchorage whilst waiting for the tide to enter Porthmadog which can only be entered within two hours of high water. Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ the RYA and WYA would object. In our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

Newquay Offshore

This HPMCZ lies in relatively deeper water and should have little impact on recreational boating activity. However, should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ the RYA and WYA would object. In our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to

these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

South West of Strumble Head

Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ the RYA and WYA would object. In our view it is not clear at this time that sufficient scientific evidence exists to support such restrictions in this location. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

Skomer

The RYA and WYA recognise that Skomer is already a Marine Nature Reserve and that the proposed HPMCZ would replace this designation and extend the boundary to include Marloes Sands.

Skomer lies within an important sailing area particularly for those on passage to Ireland. Should vessels be banned from anchoring around Skomer it will be difficult for smaller vessels to reach Ireland within 12 hours and any detours caused by exclusion of vessel transit would result in either arriving in Ireland at night or departing before dawn. Both these options increase the risks to small boats and their crews and indeed other sea users they may come across whilst making passage.

Furthermore, being able to anchor in the South and North Haven is vital as the west of the islands (Wild Goose Race) can be dangerous to yachts and Jack Sound should only be attempted during the tidal gate unless the yachtsman is very familiar with the Sound. As such these two anchorages provide safe havens to vessels whilst waiting for the safe tidal gates. In addition, the North Haven provides the only way to access Skomer by sea and has been used for many years by visiting yachts.

CCW, who manage the existing MNR, have already installed a series of moorings in the North Haven to minimise impacts to the seagrass beds. Should anchoring be prohibited elsewhere around Skomer it would be advantageous to afford similar reasonable facilities to recreational boaters.

Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ at Skomer the RYA and WYA would object. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

Dale

The proposed HPMCZ boundary at Dale includes an important anchorage for recreational boaters. Sheltered from most prevailing winds and available at all states of the tide this anchorage is valuable for vessels seeking refuge from inclement weather.

The bay is also one of the few safe anchorages close to the mouth of Milford Haven and is frequently used as a refuge as the marinas in the Haven have tidal restrictions. It is essential therefore to have an anchorage that can be used whilst waiting for weather or tide conditions, particularly after a long passage. To continue into the Haven seeking refuge can be challenging as it requires negotiation of busy commercial shipping lanes; to attempt this whilst tired could be dangerous for all users of the Haven.

Furthermore the anchorage at Dale is accessible in virtually all weather conditions and at night so that small vessels, particularly those that may be new to the area, can proceed into the Haven at a more convenient time with increased safety and to avoid possible conflict with commercial vessels. The gently shelving nature of the bay means that large, deep draft boats can anchor further offshore than smaller, shallow draft boats; providing moorings as an alternative in this location may therefore be difficult.

Recreational boating contributes significantly to the economy in Dale village and the whole area around the Haven is hugely popular with boaters. The contribution to local business varies however one member estimated that they spend at least £15,000 per annum through keeping their boat in and around Dale. Introducing restrictions across the Bay near Dale could discourage boaters from visiting the area and indeed cruising further afield. Travelling up into Milford Haven to stopover would add a considerable amount of time to a passage to the west Wales coast and, when considered alongside the potential for bad weather and having to make this detour at night time, this is likely to discourage some boaters from visiting the region.

Should vessel transit and anchoring be prohibited within the boundaries of the proposed HPMCZ at Dale the RYA and WYA would object. In line with our position statement on such matters we will continue to object to these proposals until and unless clear scientific evidence is available and suitable alternative facilities are provided.

I hope the comments provided in this letter are useful and look forward to receiving your response. We commend the WG to the specific and detailed responses submitted by a number of RYA clubs and training centres around Wales and confirm that the RYA and WYA are supportive of these submissions. If you wish to discuss any of the issues raised in this letter then please do not hesitate to contact me.

Yours sincerely,



Caroline Price
RYA Planning and Environmental Advisor

Enc: RYA Position Statement on Marine Protected Areas
Cc: Director of Navigation, Trinity House



THE RYA'S POSITION ON MARINE PROTECTED AREAS – IDENTIFICATION AND ENFORCEMENT

Introduction

The RYA is the national body for all forms of recreational and competitive boating. It represents dinghy and yacht racing, motor and sail cruising, RIBs and sportsboats, powerboat racing, windsurfing, inland cruising and personal watercraft. The RYA manages the British sailing team and Great Britain was the top sailing nation at the 2000, 2004 and 2008 Olympic Games.

The RYA is recognised by all government offices as being the negotiating body for the activities it represents. The RYA currently has over 100,000 personal members, the majority of whom choose to go afloat for purely recreational non-competitive pleasure on coastal and inland waters. There are an estimated further 500,000 boat owners nationally who are members of over 1,500 RYA affiliated clubs and class associations.

The RYA also sets and maintains an international standard for recreational boat training through a network of over 2,200 RYA Recognised Training Centres in 20 countries. On average, approximately 160,000 people per year complete RYA training courses. RYA training courses form the basis for the small craft training of lifeboat crews, police officers and the Royal Navy and are also adopted as a template for training in many other countries throughout the world.

Research conducted by the RYA, BMF, MCA, RNLI and Sunsail in 2009 showed that there were approximately 3.5 million adult participants in boating related watersports in the UK. The BMF estimates the total turnover of the UK leisure and small commercial marine industry in 2008/9 was £3.16 billion. Of this, the 'value added contribution', which is the principal measure of national economic benefit, was £1.04 billion (33% turnover). The industry employs 34,300 people across 4,200 different businesses.

The RYA is broadly supportive of the UK Government and Devolved Administrations' plans to establish a coherent network of Marine Protected Areas to achieve their shared goal of 'clean, healthy, safe, productive and biologically diverse oceans and seas'. In particular, the RYA welcomes the provisions in both the Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010 that enable Ministers to take socio-economic factors into account when designating new Marine Protected Areas (Marine Conservation Zones (MCZs) in England and Wales and Marine Protected Areas (MPAs) in Scotland).

The RYA's primary objectives of engaging in the consultation process regarding the development of MPAs/MCZs are to protect the public right of navigation and to ensure, as far as possible, that recreational boating interests are not adversely affected by the designation of such MPAs/MCZs. The 'Additional Guidance for regional MCZ projects on planning for areas where licensed, planned or existing socio-economic activities occur' published in July 2010 states that 'there should be fair treatment of the range of socio-economic interests throughout the planning process'. Although produced for the English MCZ projects, the RYA believes that this approach should be encouraged in all MPA/MCZ planning and understands that effective dialogue between stakeholders and UK Government and Devolved Administrations is essential to facilitate this.

This policy statement sets out the RYA's general position on the identification of proposed new MPAs/MCZs around the UK and the introduction of management measures in those MPAs/MCZs. Much of the content of this policy is in line with the 'Additional Guidance' mentioned above and is intended as a useful starting point for discussions around achieving co-location 'win wins'. The RYA will continue to engage on a national or regional basis as necessary to ensure the interests of recreational boaters are represented at an appropriate level on specific issues.

The RYA Policy

1. The Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010 both provide that, in considering whether it is desirable to designate an area as an MCZ or an MPA, the appropriate authority and the Scottish Ministers (respectively) *may* have regard to any economic or social consequence of doing so. The RYA believes that, other than in exceptional circumstances, the appropriate authority and the Scottish Ministers *should* have regard to the potential economic or social consequences of designating an MCZ or an MPA.
2. The RYA believes that MCZs/MPAs should be no larger than required to protect the habitats and wildlife features which it is intended to protect and that the scientific basis for designating a particular feature for protection should be sound.
3. Protection measures should only be introduced in relation to vessel activity if sound scientific evidence confirms that the protected habitat or wildlife feature and such vessel activity cannot reasonably co-exist in a particular area. Where there is doubt about the extent to which existing or likely future vessel activity might impact on the protected feature, research should be undertaken to inform the decision making process before any protection measures are applied.
4. No protection measures should be put in place unless it has been established that the relevant habitat and/or wildlife feature is present in the area to be protected and that the proposed enforcement regime is likely to be effective in protecting it. Any proposed protection measure restricting vessel activity should be proportionate to the perceived impact of the activity to be restricted and should be confined to the specific parts of an MPA/MCZ where the habitat or wildlife feature the measure is intended to protect is located. There should be no presumption that protection measures should apply uniformly across the whole of an MCZ.
5. The implementation of byelaws or orders to set out protection measures should not be considered until voluntary measures, such as voluntary zones, voluntary policing through clubs and other organisations, and education have been tried and clearly shown to have been unsuccessful.
6. Areas in which protection measures are applied should be clearly identifiable from readily available materials that any vessel skipper might reasonably be expected to have on board e.g. up to date charts, pilot books and/or almanacs. Where an area in which protection measures are applied is not physically marked on the water such as with buoyage, it should be a defence to any offence brought for infringement of the protection measure for a boater to show that they used reasonable endeavours to identify and stay outside the relevant area.

7. The implementation of any protection measure should be subject to regular review and there should be no presumption that protection measures should apply for the lifetime of the MPA/MCZ. Any protection measure restricting a particular activity should only remain in place for as long as it can be demonstrated that the activity and the protected feature cannot reasonably co-exist in the relevant area and that the protection measure remains proportionate to the perceived impact of the activity

In areas where restrictions on anchoring are proposed, the RYA's policy position is that such restrictions:

- should only be introduced if sound scientific evidence confirms that a particular protected feature and vessel anchoring cannot reasonably co-exist in a particular area.
- should be confined to the specific parts of an MCZ/MPA in which anchoring and the protected habitat or wildlife feature cannot reasonably co-exist.
- should not be imposed unless it can be demonstrated that the relevant habitat and/or wildlife feature is present in the area to be protected, and that such a restriction will be effective in protecting it.
- should not be imposed unless it can be demonstrated that such a restriction will be enforceable and enforced.
- should not be imposed unless the area in which it is to be applied is properly marked on navigational charts and/or by physical marking such as buoyage
- should not be imposed unless appropriate alternative facilities or management measures are available or made available in the locality in which the restriction is to be applied.



National Assembly for Wales's Environment and Sustainability Committee – Inquiry into Marine Policy in Wales

Response from The Crown Estate

September, 2012

1. General Comments

- The Crown Estate welcomes the publication of this inquiry and is grateful for the opportunity to provide these comments in the context of our interests and ownership of almost the entire seabed.
- Since November 2011, The Welsh Government has a Memorandum of Understanding with The Crown Estate which sets a framework to illustrate how the two bodies can work together for the benefit of marine planning and Wales. We work closely with the Welsh Government and have an open and transparent working arrangement in which we welcome further dialogue on the progress of the marine plan development in Wales.
- In light of the significant changes to legislation related to the management of the marine environment in the last decade, a large increase in resource is required to implement these arrangements and we would suggest that the Welsh Government is not yet sufficiently resourced.

2. Introduction

The Crown Estate welcomes the publication of this inquiry and is grateful for the opportunity to provide these comments. The statements contained in this response are in the context of The Crown Estate's interests and ownership of almost the entire seabed. This response is informed by The Crown Estate's extensive experience of managing activities within the marine environment and, within its core remit, of balancing economic activity with stewardship of natural resources for future generations to use and enjoy. We are committed to working with government departments, stakeholders and industry in helping to manage the coastal and marine environment.

The Crown Estate can bring to bear a high level of knowledge and expertise on issues relating to management of the foreshore, the territorial seabed and continental shelf, and we are committed to working with the UK and Devolved Governments and all stakeholders on issues which affect these areas. Our Welsh portfolio is diverse including, on our rural estate, substantial areas of common land, agricultural holdings and a range of mineral interests. Our marine estate takes in around half of the foreshore and the seabed out to 12 nautical miles, where we are playing a key role in enabling developers to realise the potential for renewable energy, particularly through offshore wind farms and marine renewable energy installations. In managing our Welsh estates we aim to work in partnership with government and local communities for mutual benefit. We have built good working relationships with the Welsh Government and the National Assembly for Wales, local councils, communities and our own customers.

Having reviewed the inquiry, please see below for some specific comments related to the questions asked: -

3. Marine planning in Wales

- The limited resources in the Welsh Government dedicated to the new process of marine planning has meant that progress has been restricted to principles and consultation on the approach, rather than implementation.
- However, there is still an opportunity for Wales and the Welsh Government to progress quickly and begin the marine planning process in earnest. The combined resource of the public and private sectors (through the Wales Coastal & Maritime Partnership and other mechanisms) affords Wales an opportunity to make great strides in a short time.
- The Welsh Government have a Memorandum of Understanding with The Crown Estate – signed in November 2011 – which sets a framework to illustrate how the two bodies can work together for the benefit of marine planning and Wales. We would welcome the opportunity to enhance this relationship through further dialogue regarding the progress of development of marine plans in Wales and how we can facilitate and contribute to them.
- The Crown Estate through discussions with the Marine Management Organisation in England, Marine Scotland and the Welsh Government have identified an opportunity to create a vehicle to share information, resources and knowledge exchange about marine planning issues. We would suggest that this is a key way forward to assist in the pooling of human and technical resource across the breadth of the UK marine environment.
- There is a need to create momentum around marine planning in Wales and there is an opportunity for the Welsh Government to work closely with its neighbours in the UK and Republic of Ireland to create the first cross-border multi-sector marine plan which helps deliver the objectives of government.
- From experience of other marine planning processes across the UK, we would recommend early consideration of existing and planned sustainable renewable energy installations (and stakeholder and UK Government dialogue) in the context of meeting Wales and UK renewable energy objectives.

4. New marine conservation zones

- The Crown Estate supports the principle of protection of the marine environment through designated sites. We have been a trusted advisor to the Welsh Government and the MCZ process through our involvement in the Welsh Government's Technical Advisory Group.
- Whilst we support the process to develop Marine Conservation Zones (MCZs), we believe it is important that the designation process and associated development of management measures take account of other users and uses of the marine and coastal environment.

- We would welcome further clarification regarding key features of the proposed MCZs including the potential association of highly mobile species within the sites and how activities outside of the boundaries and related Risk Management Areas (RMAs) will operate. At present uncertainty surrounding these aspects of the proposed designations creates a consenting risk for potential developments that are progressing through the marine planning and licencing process.
- An ecologically coherent network of MPAs (including MCZs) would make an important contribution to the implementation of an ecosystem approach with benefits economic and social, as well as environmental.

5. Marine licensing in Wales

- The Marine Consents Unit (MCU) of the Welsh Government is seen by The Crown Estate and many of our partners as an example of a well-functioning and efficient delivery unit. The intention to move the function of marine licensing into the new single Natural Resources Body must be carefully considered by the Welsh Government as there is a danger of a regressive step if implementation is not carried out with rigour and understanding of all implications. Specifically, planned renewable energy developments need to be considered in the context of wider Government objectives and resource provisions planned accordingly. The Crown Estate will also respond to the Welsh Government's current consultation on the Natural Resources Body for Wales.

6. Resourcing and coordination

- The huge change in legislation related to marine management in the last decade means that in order to implement these arrangements we believe that the Welsh Government is not sufficiently resourced.
- This lack of resource is most evident in regard to marine planning; it is clear that resources are not sufficient in order to implement this new area of marine management. The Crown Estate, along with the statutory marine planning bodies in the UK have met to discuss how all sides can explore ways in which we can collaborate and share our knowledge and expertise in a structured manner for the benefit of Wales and UK. It is essential that this exchange concept is progressed to determine if it is a viable approach and we will continue to work with and encourage government to examine the benefits of such collaboration.
- As stated earlier, The Crown Estate and the Welsh Government have a joint MoU which helps to set the context of cooperation at an organisational level and commits both parties to communicate and work collaboratively. The Crown Estate works throughout the UK and our remit means that we work with government across administrative boundaries. We work closely with the Welsh Government and have an open and transparent working arrangement, which we welcome. We will continue to progress dialogue around the marine planning process, development of marine conservation zones and the single Natural Resource Body in Wales.

7. Conclusion

We trust that you will find these comments constructive. We would be very willing to provide additional information on any of the points we have raised above and be very pleased to discuss these matters with you further. Through the Energy & Infrastructure's Policy, Planning and Consenting team, we are ready to engage in further discussions on these and other points relevant to our ownership or which our expertise may be brought to bear. All of this response may be put into the public domain and there is no part of it that should be treated as confidential.

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Background Information on The Crown Estate and our marine based portfolios

The diverse portfolio of The Crown Estate comprises marine, rural and urban properties across the whole of the United Kingdom valued in total at £7.6 billion, £118m of which is in Wales (2012 figures). Under the 1961 Crown Estate Act, The Crown Estate is charged with maintaining and enhancing both the value of the property and the revenue from it consistent with the requirements of good management. We are a commercial organisation guided by our core values of commercialism, integrity and stewardship.

The Crown Estate's entire revenue surplus is paid directly to HM Treasury for the benefit of UK citizens; in 2012 this amounted to just over £240 million, with £6.8m of this generated in Wales.

We are custodians of the seabed out to the 12 nautical mile territorial limit, including the rights to explore and utilise the natural resources of the UK continental shelf (excluding oil, gas and coal). We are responsible for 65 per cent of the Welsh foreshore. Through our marine stewardship programme, we support a range of practical projects that contribute to good stewardship around the UK coast. Our coastal holdings comprise areas of great beauty and national importance, and we take our responsibilities towards them and to the people of Wales very seriously indeed. The challenge is to balance environmental priorities with opportunities for commercially sustainable development. We achieve this by working closely with the full spectrum of marine-based industries.

The Crown Estate manages its marine assets on a commercial basis, guided by the principles of sustainable development and social responsibility. We engage with partners, local people and other bodies in order to facilitate the development of a world class offshore energy capability. In Wales our economic interests include ports, marinas, renewable energy and marine aggregate extraction. The activities of the marine estate are bringing significant new inward investment, businesses and jobs to the UK. As stewards of the territorial seabed and having brought forward the first three rounds of offshore wind farm developments around the UK, The Crown Estate is playing an active role in helping Wales to make the most of offshore resources.

We take a consistent approach to the management of our activities around the UK, whilst retaining flexibility to take local factors into account whenever necessary. The Crown Estate can bring to bear an unparalleled level of knowledge and expertise on issues relating to management of the foreshore, the territorial seabed and continental shelf. We have a strong understanding of the needs of a broad range of sea users, as commercial partners, customers and stakeholders.



Cyngor Cefn Gwlad Cymru Countryside Council for Wales

THE NATIONAL ASSEMBLY FOR WALES' ENVIRONMENT AND SUSTAINABILITY COMMITTEE INQUIRY INTO MARINE POLICY IN WALES

WRITTEN EVIDENCE FROM THE COUNTRYSIDE COUNCIL FOR WALES September 2012

Contents

1.	INTRODUCTION AND OVERVIEW	2
2.	RESPONSE TO THE INQUIRY'S SPECIFIC CONSIDERATIONS	3
2.1	Progress with marine spatial plans for Wales	3
2.2	Status of marine protected areas in Wales and role of MCZs	10
2.3	Welsh Government's marine licensing and fisheries functions	10
2.4	Implementation of key European Directives	13
2.5	Cooperation and coordination between administrations	17
2.6	Financial and staff resource	18
2.7	Involvement of stakeholders	20

Annexes

Annex 1:	Evidence of changes in the marine environment	22
Annex 2:	Map of Marine Protected Areas in Wales	24
Annex 3:	MPA reporting cycles and requirements	25
Annex 4:	CCW's MPA Management Recommendations	27

1. INTRODUCTION AND OVERVIEW

- 0.0.1 CCW welcomes this important and timely inquiry. There is good scientific evidence that the state of global, UK and Welsh seas has declined over the last 50 to 100 years (see Annex 1). Recognition of this fact has placed marine issues high on the agenda across the EU, the UK and Wales. It has been CCW's advice, and a view shared by many, that some form of new ecosystem-based management framework is needed now to reverse this overall negative trend.
- 0.0.2 The broad scope of this inquiry allows examination of the key areas of marine policy, governance and legislation that, as an integrated package, have the potential to protect and restore the health of our seas and secure sustainable use of Welsh seas.
- 0.0.3 CCW is the statutory nature conservation advisor to Welsh Government. We champion the environment and landscapes of Wales and its seas as sources of natural and cultural riches, as a foundation for economic and social activity, and as a place for leisure and learning opportunities. We aim to make the environment a valued part of everyone's life in Wales. CCW therefore has a key supporting, advisory and delivery role in the majority of the areas of work that the Committee is examining.
- 0.0.4 CCW has considerable experience in the gathering and interpretation of evidence. We hold, and continue to gather, significant amounts of data that can be used to support marine planning and management. We also have substantial experience in awareness raising and partnership building at local, regional and national levels. We have well established and recognised marine environmental expertise which we apply in the provision of our advice to WG and others, including:
- The delivery of Government marine policy objectives
 - The status of the marine environment and management priorities, including protected sites
 - Potential and actual impacts upon the marine environment and how these can be avoided or mitigated
- 0.0.5 CCW has a direct interest in and experience relating to the delivery of the Marine and Coastal Access Act (2009) (hereafter referred to as the Marine Act), and especially in relation to planning and conservation measures. We have provided advice to the UK and Welsh Government on the need for a fit for purpose legislative framework for the marine environment, including measures for sites of national importance and powers to enable marine planning. As part of WCMP, we also work with others to provide integrated advice to Government on areas of key marine policy delivery.
- 0.0.6 As Government's statutory nature conservation advisor CCW has been closely involved in the implementation of nature conservation provisions in the Marine Act. With our broad marine remit, we consider that CCW has an important position in supporting delivery of marine planning for Wales through both the provision of advice and evidence to the planning process.

- 0.0.7 CCW has a key role in supporting delivery of marine EU obligations, in particular the Marine Strategy Framework Directive (MSFD), the Habitats Directive and Birds Directive and aspects of the Water Framework Directive. We work with partners to deliver these important obligations. We recognise that the Environment Agency has a lead delivery role for the Water Framework Directive and Bathing Water Quality Directive and refer the Committee to the Environment Agencies response for further detail in these areas.
- 0.0.8 CCW also works to support delivery of the Common Fisheries Policy (CFP) and we have experience of operationalising ICZM principles resulting from the 2002 EU recommendation. We have advised on the EU Integrated Maritime Policy which provides the high level policy framework for marine governance and development across Europe, and in particular in relation to marine spatial planning.
- 0.0.9 Overall, CCW commends Government's progress to date in establishing a policy and legislative framework for the management of our seas. This framework is enabled by the Marine Act and framed by the UK Marine Policy Statement. The powers now in place are also appropriate for supporting the delivery of the wider European framework intended by the MSFD.
- 0.1.0 Significant progress has been made in introducing the legislation and rationalising and consolidation of governance arrangements, (for example, Welsh Government has gained powers and functions for marine planning in the Welsh zone, marine licensing is delivered for Wales in Wales, fisheries management has been taken on by Welsh Government etc). However, progress in delivery of some areas of marine policy delivery has been slow.
- 0.1.1 It is clear that resourcing of marine policy delivery in Wales has had an impact on progress to date and potential progress in the future.
- 0.1.2 The new Natural Resources Body for Wales (NRBW) offers an exciting and significant opportunity to integrate the various existing marine supporting and delivery functions of the Environment Agency Wales and CCW. With adequate resources this new organisation can provide significant support to Government and partners to deliver Government's vision of a clean, healthy, safe, productive and biologically diverse oceans and seas.

2. RESPONSE TO THE INQUIRY'S SPECIFIC CONSIDERATIONS

2.1 What progress has been made in relation to the development of marine spatial plans for Wales?

- 0.1.3 Wales has been well-placed to take forward marine planning with Welsh Government having been proactive in seeking advice on marine spatial planning from the Wales Coastal and Maritime Partnership in 2007. However,

since gaining marine planning powers in 2009 through the Marine Act, there has been limited progress in Wales relative to England.

- 0.1.4 CCW has responded to a number of relevant consultations in the recent past, including the joint Government consultation on the Marine Policy Statement (MPS), and Welsh Government's initial consultation on the marine planning process for Wales in May 2011. We have also inputted to the WCMP marine planning sub-group.
- 0.1.5 We welcomed the adoption by UK Government administrations of the UK Marine Policy Statement in 2011, and are keen that the positive opportunities for better, more integrated management of our seas are realised through planning. We note that following the adoption of the MPS Welsh Government are now under a duty to seek to ensure that marine plans are prepared for all parts of their region where the MPS governs marine planning¹. For Welsh Government this means ensuring full coverage of the Welsh inshore and offshore region² with marine plans.
- 0.1.6 Our advice to date on marine planning has centred around the importance of setting appropriate governance arrangements for planning that ensure an integrated and inclusive approach. We note that the new marine planning powers offer a significant opportunity for Welsh Government to deliver the aspirations set out in 'Sustaining a Living Wales', in particular in terms of resource use planning and securing ecosystem services.
- 0.1.7 CCW holds a large amount of data and evidence that we expect to contribute to support the development of marine plans. Much of this will need further work to translate or 'interpret' the available evidence into a form useful to the planning process, and this can be time consuming. We also have ongoing evidence needs. CCW has been working on collation and presentation of our data and evidence to support the process of marine planning in Wales. One output has been the creation of CCW's Marine Evidence Directory³. However, given the lack of clarity regarding the progress of marine planning in Wales, we are facing difficulty in planning appropriately for contributing further to the planning process.
- 0.1.8 Marine planning is progressing across the UK and there remains clear support for the process at an EU level⁴. At the same time, a variety of significant areas of marine management and planning work have been moving ahead in Wales, such as marine renewable energy planning and deployment, fisheries management and the recent Marine Conservation Zone Project Wales. Wales will benefit from a marine planning process that can provide a structure, and

¹ Marine and Coastal Access Act 2009 – Section 51(2).

² The Welsh inshore and offshore regions are defined in Section 322 of the Marine and Coastal Access Act. In summary Welsh inshore and offshore regions collectively cover from mean high water spring tide out to the median line with adjacent countries.

³ CCW's Marine Evidence Directory is available on CCW's website: <http://www.ccw.gov.uk/landscape--wildlife/managing-land-and-sea/marine-evidence-directory.aspx?lang=en>

⁴ Marine spatial planning has been directly promoted and supported at an EU level through a series of Commission communications including: the 2007 Integrated Maritime Policy for the European Union; the 2008 Roadmap for Maritime Spatial Planning: Achieving Common Principles in the EU; and the 2010 communication on marine spatial planning in the EU.

policies, that integrate the various sectoral planning and decision making processes and ensures all activity in the marine environment is contributing to a shared vision supported by clear objectives and priorities.

2.2 What is the current status of marine protected areas in Wales and what role should the new Marine Conservation Zones have in this network of protected areas?

0.1.9 A coherent, well-managed network of marine protected areas (MPAs) is a crucial part of a healthy, well-planned and managed marine environment and an essential tool in delivery of good environment status under the Marine Strategy Framework Directive. Related to this, delivery of coherent well-managed suite of MPAs in Wales is also central to supporting delivery of the Living Wales programme and an ecosystem-based approach to management. It is therefore important that we continue to improve our understanding of the condition of Welsh MPAs, and issues affecting their condition.

0.2.0 Wales has an extensive suite of marine protected areas representing many years of significant work and commitment. In total there are 125 MPAs in Wales, covering 35% of Welsh seas. The type, numbers and coverage of MPAs in Wales are summarized in Box 1 and all existing MPAs are shown on a map in Annex 2. These sites make a substantial contribution to the UK MPA network.

Box 1: Summary of coverage of MPAs in Welsh Seas (MHW to 12 nm)

Number of sites	
SAC	= 11
SPA	= 6
SSSI	= 103
Ramsar	= 4
MNR	= 1
Total number of MPAs	= 125

0.2.1 Nevertheless, Welsh MPAs are not consistently in good condition and further work is needed before Wales has an ecologically coherent and well managed suite of MPAs.

Proportion of Welsh Seas within:	
MPAs	= 35.08%
SACs	= 31.41%
SPAs	= 8.08%
SSSIs	= 2.64%
Ramsar	= 1.21%
MNR	= 0.08%

0.2.2 CCW carries out and contributes to various reporting cycles on types of MPA. Details of reporting cycles (see Annex 3). Past reporting indicated that a significant proportion of coastal and marine features were not in favourable condition:

0.2.3 **SACs:** Article 17 of the Habitats Directive requires member states to report on measures taken and their outcome in terms of conservation status for species and habitats listed in the Directives' Annexes, (for further detail of Article 17 reporting requirements see Annex 3). The most recent reporting round under Article 17 of the Habitats Directive was in 2007. At that time, 53% of species features and 46% of habitat features were reported as being in favourable condition with 100% of species and 79% of habitats reported as being in unfavourable conservation status (conservation status is a measure of security of management to maintain or improve condition).

- 0.2.4 CCW is currently preparing data for submission to the third round of six-yearly Habitats Directive Article 17 reporting, due in 2013. Work to contribute to this round of reporting is still ongoing, but early indications are that, despite some improvement in condition in places, most features are considered to be in the same or worse condition and same or worse conservation status; however this summary has yet to be confirmed by completion of the full analysis of data.
- 0.2.5 The suite of new powers created by the Marine Act (fisheries, nature conservation orders, MCZs, marine planning and licensing) in theory improves our ability to provide security of management for our SACs which should lead to an improvement in their conservation status. Early indications that conservation status has not improved since the last round of Article 17 reporting in 2007 may reflect the fact that we are still in the early stages of implementation of these new powers. The lack of change in site condition and conservation status also indicates the length of time it can take to make significant, long-term management changes and subsequently record a measurable effect.
- 0.2.6 **SSSIs:** In 2006 a ‘Rapid Review’ was undertaken to assess the condition of Welsh SSSIs. In the review, 73% of the intertidal habitat features were in favourable condition. It should be noted that the most recent information used for assessing some of the sites dated as far back as 2000 and hence many results may have changed.
- 0.2.7 Reporting cycles also occur for Ramsar sites, SPAs and MCZs. MCZ reporting has not yet occurred, and the first two have not, to date, provided the type of detailed data on condition of marine sites in Wales that would assist the Committee’s enquiry.
- 0.2.8 A key tool for understanding the status of MPAs and identifying priorities in Wales will be the six-yearly Marine Act reporting duty. Welsh Government is required to report to the National Assembly for Wales in 2012 and every six years thereafter on its contribution to the UK MPA network (see Annex 3 for further details). The first report is therefore due later this year. CCW is preparing evidence and advice for Welsh Government to support this reporting duty.
- 0.2.9 CCW has also developed a Special Site Database for Welsh conservation sites. This database, which forms part of the CCW Special Sites Project, records CCW’s recommendations about the management needs of protected areas in Wales⁵. CCW has used the database to identify strategic cross-Wales issues affecting site condition across many MPAs. We are working to identify priority action address these issues. Cross-Wales issues include:
- Sea fish industries
 - Pollution and waste including litter
 - Coastal and flood defence

⁵ The overall aim of the Special Sites Project is to develop CCW and partner organisations’ capacity to manage an efficient and effective programme of works and policy change that will deliver Outcome 21 of the Wales Environment Strategy.

- Non-native species
- New development and activities
- Climate change

0.3.0 From the various strands of work discussed above it is clear that Wales has some way to go to achieve a healthy suite of MPAs in Wales, delivering their objectives.

Issues to address to improve the status of Welsh MPAs

0.3.1 The most pragmatic way for Wales to make its full contribution to a coherent network of MPAs at a UK level and to the conservation and improvement of the Welsh marine environment is by ensuring:

- a) that sites are under effective and secure management and
- b) that the suite of sites in Wales satisfies key network design principles.

0.3.2 It is CCW's view that the suite of MPAs in Wales is not currently making their full potential contribution to the conservation and improvement of the Welsh marine environment or to a coherent UK MPA network. Two key areas where CCW considers that further work is needed to improve the status of our MPAs and their contribution to the wider marine environment:

- a) Improving management of sites, and
- b) Improving our understanding of the degree to which the current suite of MPAs satisfies key network design principles including representivity, replication, connectivity and different levels of protection

0.3.3 **Site management:** Previously, CCW has advised that because of the extent of the existing suite of MPAs in Wales, the priority for our MPAs should be securing favourable management of existing sites. To better understand the issues affecting MPA management CCW recently carried out a review of the management of MPAs in Wales⁶. The evaluation report⁶ concluded that "It is clear that while there has been, and continues to be positive management of some Welsh MPAs (by CCW, other statutory bodies, voluntary groups and individuals), there remains inconsistency in approach, resource allocation and involvement of management authorities as well as a lack of strategic steer across the suite of Welsh MPAs. These issues are hampering delivery of effective management across all MPAs in Wales".

0.3.4 A key conclusion from this review is the need for a stronger lead in MPA management to achieve a more coherent and focused approach to management of the network. The review led to high level recommendations from CCW to Welsh Government (See Annex 4) including recommendations for

⁶ The findings of the MPA Management Review are presented in two reports, the first is an overview of MPA management in Wales, and the second is an evaluation of MPA management. Reports are available from CCW: Overview report: M. Hatton-Ellis, L. Kay, K. Lindenbaum, G. Wyn, M. Lewis, M. Camplin, A. Winterton, A. Bunker, S. Howard, G. Barter & J. Jones, 2012. *MPA Management in Wales 1: Overview of current MPA management in Wales and a summary of new MPA management tools*. CCW Marine Science Report 12/06/01, 56pp, CCW, Bangor.

Evaluation report: M. Hatton-Ellis, L. Kay, M. Lewis, K. Lindenbaum, G. Wyn, A. Winterton, A. Bunker, S. Howard, G. Barter, M. Camplin & J. Jones, 2012. *MPA Management Report 2: Assessment of current MPA management in Wales*. CCW Marine Science Series No: 12/06/03, 78pp, CCW, Bangor.

establishing new governance arrangements for the management of MPAs including a Wales MPA Management Steering Group led, potentially, by Welsh Government. At the time of writing CCW and Welsh Government are yet to agree a way forward.

- 0.3.5 **Network design principles:** There are various commonly recognised principles used to design MPA networks and to assess them for overall ecological coherence, including: representivity of species and habitats in the network area; replication of features; connectivity between sites, and different levels of protection. Whilst representivity of features across Wales and as part of the wider network appears to be good, there is still work to be done to create a fully coherent suite of sites. In particular there is ongoing work to fully implement the Birds Directive in the marine environment across the UK. (This is covered further in section 2.4, paragraphs 0.6.4 – 0.6.7). In addition, we do not yet fully understand the degree to which conservation measures within large sites such as SACs protect other features that the site was not designated for, consequently, we do not yet fully understand how representative our suite of MPAs is.
- 0.3.6 CCW has consistently advised that a coherent network of MPAs should include a variety of levels of protection and that we currently do not have any site with a high level of protection for all habitats and species present from human-induced impacts. Levels of protection are discussed further in the next section addressing Marine Conservation Zones.

The role of Marine Conservation Zones

- 0.3.7 The purpose of the Marine Conservation Zone (MCZ) designation is to conserve (a) marine flora or fauna, (b) marine habitats or types of habitats, or (c) features of geological or geomorphological interest.
- 0.3.8 CCW has advised that the MCZ power should be used in Wales to secure a small number of highly protected sites. This advice has been provided based on assessment of the scientific evidence which indicates that highly protected sites, if in the right locations and effectively managed, can provide significant and measurable biodiversity gains as well as improvements in understanding of the marine environment and human impacts.
- 0.3.9 The advice to use the MCZ power to create some highly protected sites also reflects our understanding of wider commitments and policy intent at the time. The value of an MPA network that incorporates varying levels of protection in order to contribute to the health of the wider marine environment is recognised through a number of national and international commitments, including the Convention on Biological Diversity⁷. The requirement in the Marine Strategy Framework Directive, to contribute to a coherent MPA network is directly intended to contribute to delivery of the objectives of the CBD.

⁷ The Convention on Biological Diversity (CBD) commits states to securing a coherent network of marine protected areas which should include both multiple use and strict protection sites.

- 0.4.0 During the Marine Act’s development and passage through parliament there was considerable discussion on the need for highly protected sites within the UK MPA network. The Joint Committee (including Welsh members) that carried out pre-legislative scrutiny of the Marine Bill clearly recommended that the MPA network should include Highly Protected Marine Reserves⁸. During the Second Reading of the Bill in the House of Commons, the Minister confirmed Government’s intention to designate highly protected sites as part of the MPA network; ‘MCZs will include areas that have not only a high level of protection, but a high level of protection where extractive industries, for example, are prohibited’⁹. The Marine Act requires Welsh Government to report on its contribution to the UK MPA network every 6 years, including how many MCZs have been created where extraction and deposition are excluded.
- 0.4.1 CCW has contributed to the MCZ project Wales. Our role during the MCZ Project Wales has been to provide technical advice and support to the Technical Advisory Group, to sit on the Steering Group, and to attend the Stakeholder and Citizen’s Engagement Group as an observer member. Some issues relating to the MCZ Project Wales are discussed further in section 2.7 on stakeholder engagement.
- 0.4.2 CCW will continue to contribute to work led by Welsh Government to best use the MCZ designation in Wales, and we will continue to draw on and develop our research and advice to date.
- 0.4.3 In summary, the main focus for Wales should be on the existing suite of sites and improving their management. It is also important to continue to improve our understanding of the ecological coherence of the suite of MPAs in Wales, both in terms of coverage of and adequate conservation of features in Welsh waters, but also in terms of appropriate levels of protection.
- Skomer Marine Nature Reserve***
- 0.4.4 CCW has statutory responsibility for management of Skomer Marine Nature Reserve (MNR) under the Wildlife and Countryside Act (1981). CCW (and previously the Nature Conservancy Council for Wales) has been working to improve the conservation and understanding of the MNR, in collaboration with local users and the local community, since its designation in 1990. In considering how Welsh Government intends to use the MCZ designation, CCW therefore has a particular interest in securing the future for Skomer MNR. Skomer must be converted to an MCZ at some point, and this will happen automatically when Welsh Government commences the MCZ provisions in the Marine Act¹⁰.

⁸ House of Lords / House of Commons (2008) *Joint Committee on the draft Marine Bill – First Report* 16 July 2008

⁹ <http://www.parliament.uk/business/publications/hansard/>

¹⁰ The MCZ provisions in Chapter 1, Part 5 of the Marine Act do not come into force until Welsh Ministers commence the provisions by order.

0.4.5 CCW would wish to fully consider the type of protection and management afforded to Skomer in its conversion to an MCZ. Whilst the Marine Act allows for the conversion of Skomer to an MCZ with its current bylaws retained as Marine Act Orders, we think the opportunity should be taken to examine and potentially enhance the levels of protection and management at Skomer. CCW remains committed to the management of Skomer MNR/MCZ as a long standing, well supported marine conservation site that provides a positive demonstration of how locally managed sites can work.

2.3 The development of the Welsh Government's functions in relation to marine licensing and fisheries and whether this has been effective?

Marine licensing

0.4.6 CCW has previously advised that it is less important who delivers marine licensing functions in Wales, relative to how it is delivered; we still consider this to be the case. Welsh Ministers have responsibility for Marine Licensing in Wales and the Welsh inshore region as defined by Section 113 of the Marine Act. As part of the rationalisation of marine governance that occurred with the passage of the Marine Act, UK and Welsh Government effectively rationalised the system of consenting many marine activities. The new system largely replaced Part 2 of the Food and Environment Protection Act 1985; Section 34 of the Coast Protection Act 1949 and The Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (Wales) Regulations 2007. It also removed the need for separate consent under the Electronic Communications Code. In April 2010 Welsh Government also took responsibility for administering the regulation of activities consented under the Marine Act Licence (previously administered on Welsh Government's behalf by the Marine Management Organisation).

0.4.7 CCW's role is to act as an advisor to Welsh Government about the effects of licensable activities on natural heritage and this includes providing advice on the nature of survey and assessment methodology required to understand potential effects. One constraint to decision making in marine licensing is the fact that we often know very little about impacts of developments on the marine environment. CCW has been proactive in addressing this issue, and examples relating to evidence of impacts on mobile species are presented in Box 2.

0.4.8 In CCW's experience, the systems established by Welsh Government's Marine Consents Unit (MCU) have proved effective and efficient. For more complex projects especially, the early scoping of environmental issues is critical so that project designs can take these into account and so that conflicts can be avoided at a later stage. The MCU has been proactive in encouraging developers to undertake the studies and consultation that is necessary to achieve this.

0.4.9 From our perspective, Welsh Government has therefore successfully developed and delivered its marine licensing functions since taking on the responsibility, albeit with minimum resources for delivery of this crucial

function. In future however, greater emphasis will need to be placed on developing the role further such as on developing tools for assessing projects risks, the re-use of data and information gathered during project assessment and improving access to information about project consents.

- 0.5.0 The key constraint to developing the licensing function further is availability of resources. If the marine license function moves to the new Natural Resources Body for Wales it will be vital that sufficient resources are made available to continue to provide and further develop the licensing system that supports sustainable use of Welsh seas.

Box 2: Improving the evidence base for mobile species for marine licensing and planning.

Knowledge and data on the distribution, abundance and life histories of mobile species (fish, seabirds and marine mammals) and their sensitivity to impacts from anthropogenic activities is often very limited and can be seen as a constraint to decision-making. CCW works with partners to develop the evidence base for mobile species and to facilitate the consideration of impacts upon them in marine consenting decisions and marine planning. CCW has undertaken a number of pieces of work to address this issue, for example:

1. Production of mobile species spatial evidence layers

The best available information on the distribution and abundance of seabirds and marine mammals in Welsh waters has been collated to produce GIS based evidence layers available for use in marine planning and consenting decisions. Maps have also been produced presenting the relative sensitivity and vulnerability of marine birds and mammals around Wales to impacts from activities, based on their biology, life history traits and conservation status. These evidence layers been incorporated into marine spatial planning processes for marine renewable energy and have wider potential application to marine spatial planning in general.

2. Improving the evidence base on impacts from activities

Marine renewable energy developments present a challenge for marine licensing, given the high level of uncertainty over their potential environmental impacts, the lack of information from deployments elsewhere and the level of precaution required by environmental legislation. CCW has worked proactively with the Welsh Marine Consents Unit and Tidal Energy Ltd, on a proposal to deploy a tidal stream device in Ramsey Sound Pembrokeshire. By adopting an adaptive management approach to deployment, controlled by strict operational conditions and subject to a specifically designed monitoring programme, crucial data on close-scale interactions between an operating device and marine mammals will be provided for the first time anywhere in the world.

3. Developing a framework for assessing impacts on mobile species populations

Individual activities or projects may not present a threat to the maintenance of marine mammal populations, but cumulatively have the potential to significantly affect their long-term viability. The difficulty of assessing such impacts is compounded by the wide geographical range of many mammal populations, which may span UK administrative boundaries. CCW is a founder partner in a project to develop an agreed UK wide framework for assessing the potential effects of marine renewables on marine mammal populations, addressing not only the impacts of individual projects, but also the possible cumulative effects of multiple projects and activities.

Welsh Government fisheries functions

- 0.5.1 The functions of the two Welsh Sea Fishery Committees were brought in house by Welsh Government in 2010. Since the beginning of 2012, Welsh Government has recruited a number of staff to fill key roles, and are now effectively developing and delivering key areas of their functions in relation to the Marine Act 2009 and wider EU conservation related Directives. For example the new Horse Mussel Order 2012 to protect the Modiolus reefs of north Wales from the impacts of mobile gear¹¹, the new Boat Tracking System Order 2012¹² to assist in the enforcement of the Scallop Order 2010 and the new Cockle and Mussel (Specified Area)(Wales) Order 2011 managing commercial cockle fishing.
- 0.5.2 Bringing forward the Scallop Order (Wales) 2010 was a particularly significant achievement from a nature conservation perspective. This is a comprehensive piece of legislation that considers Article 6 of the Habitats Directive by protecting designated features of the marine environment and mobile species from the impacts from scallop dredging.
- 0.5.3 Welsh Government is currently undertaking a strategic review of all current Welsh fisheries legislation. Currently this involves integrating and rationalising the legislation that applies in north and south Wales since the amalgamation of the former Sea Fishery committees in to the WG. CCW are working in partnership with the WG Fish legislative review staff to highlight any areas of nature conservation concern with regards to proposed fisheries legislation and to identify appropriate mechanisms and processes for limiting these effects for example using a restrictive permit to manage the scallop fishery in Wales or looking at the potential effects of rotational and zonal management for the scallop fishery.
- 0.5.4 Both CCW and Welsh Government recognise the biggest issue for this exercise (and managing marine activities in general) is the lack of information available to be able to effectively assess impacts from fishing activities. This is an area that CCW and WG are currently working on through the population of the fisheries elements of the CCW Special Sites Database (see paragraph 0.2.9). Through a process of prioritisation of fisheries activity impacts based on current evidence it will be possible to identify areas of risk or issues that require further investigation of impacts, and areas where fisheries management powers can be used to deliver conservation improvements.

¹¹ The Modiolus Order 2012 that will be come into force later this year is intended to protect a vulnerable habitat from the effects of mobile fishing gears. Areas of Modiolus reef, a Biodiversity Action Plan species, exist both within and adjacent to a European Marine Sites. They are a slow growing species that support a rich diversity of marine life with few remaining examples within welsh waters.

¹² The Boat Tracking System Order 2012 that will come into force later this year is at the fore front of UK real time management of fisheries activities that may impact Marine Protected Area features. This Order will make it a legislative requirement for all boats prosecuting the scallop fishery in Wales to have a satellite monitoring system onboard. This system will real time information to an operations room in Milford Haven Fishery Office that will indicate where the scallop boats are operating allowing the tasking of fisheries assets for enforcement purposes to be efficient and effectively used. This system will aid in enforcing the Scallop Order 2010.

- 0.5.5 Welsh Government developed the Welsh Fishing Strategy 2008 and subsequent implementation plans outlining the direction of travel for fisheries until 2020. CCW understands that the Strategy will be reviewed later this year as there have been significant developments within marine policy and legislation both in a UK and EU context since 2008. The new strategy will look to make the links between the various UK and EU marine fisheries initiatives that currently exist and those such as the reformed Common Fisheries policy that will be introduced in 2013. CCW looks forward to engaging with the review to build on progress in management of fisheries for the benefit of the industry and the environment.
- 0.5.6 Recent communications from Defra indicate that Defra want to initiate a new approach to applying the Habitats Directive to fishing activities within European Marine Sites. They will assess proposed activities within European Marine Sites using a risk-based approach on their impacts and use local management to bring forward legislation as necessary to protect sites. Welsh Government have already been applying this approach in some areas as they have been assessing the impacts from fishing activities against Article 6 of the Habitats Directive during the consultation for the Scallop Order (Wales) 2010. The same process is currently being used when considering forthcoming fisheries legislation later in 2012 and with the review of Welsh fisheries legislation in general.
- 0.5.7 There is still much to do to address the impacts of fisheries in particular in MPAs, but overall there has been steady progress in improvements in the management of fisheries and impacts on the marine environment.

2.4 What progress has been made by the Welsh Government in the implementation of key European Directives?

- 0.5.8 The suite of key European Directives that apply to the marine environment provide collectively some of our most significant conservation, management and planning tools and structures. For CCW, the key directives include the Habitats Directive, Birds Directive, Marine Strategy Framework Directive (MSFD) and the Water Framework Directive, as well as key policy initiatives such as the Common Fisheries Policy, EU Integrated Maritime Policy and ICZM Recommendation.
- 0.5.9 The MSFD is a new and exciting opportunity to address the health of the whole marine environment by seeking to secure Good Environmental Status, equated to sustainable use, across all European marine waters. The MSFD appears to be increasingly seen by Government administrations across the UK as the overarching key legislative driver in marine protection, conservation and management
- 0.6.0 The various Directives are all at different stages and we are still learning a great deal from the implementation of the Birds and Habitats Directives passed in 1979 and 1992 respectively. This ongoing learning process and the fact that we still do not have all our SAC, for example, in favourable condition

and conservation status, indicates the length of time it can take to realise the full intended benefits of these significant pieces of European legislation. This highlights the need for long term commitment and resourcing.

Habitats Directive

- 0.6.1 The Habitats Directive is an important piece of legislation for the environment providing us with, at current stages of legislative implementation, our key marine conservation and protection tools. SACs under the Habitats Directive, together with SPAs under the Birds Directive create the EU Nature 2000 network and to date collectively protect our most important marine and coastal biodiversity.
- 0.6.2 There has been strong early progress in establishing sites, with 11 marine SACs covering just over 30% of Welsh seas. Conservation Objectives¹³ have been published for all Welsh SACs and a number of sites now have, or are developing Management Schemes¹⁴. A number of the larger SACs also have Relevant Authority Groups (RAGs) that develop the Management Schemes and oversee and coordinate their collective management functions. CCW is a key partner in these RAGs, and has also provided core funding of these groups and supporting officers.
- 0.6.3 Although good progress has been made in coverage of sites and in some cases management structures, issues remain over site management delivery and the condition of sites, and hence the delivery of conservation objectives. These issues have been discussed in more detail in section 2.2.

Birds Directive

- 0.6.4 Good early progress was made in Wales compared to the rest of the UK with the designation of the first marine SPA in Camarthen Bay for wintering Common Scoter, classified in 2003. This was followed by the cross-border Liverpool Bay SPA for wintering Red-throated Diver and Common Scoter in 2010.
- 0.6.5 Despite the two existing sites, in comparison to the Habitats Directive, recent progress with delivery of the Birds Directive in the marine environment has been relatively slow and the network remains incomplete. Wales is, however, progressing at a similar pace to the other UK countries. JNCC is leading work to understand the evidence and need for further sites across the UK. CCW has been contributing to this UK-wide work since 2005.
- 0.6.6 There are four key strands of work relevant to Wales:
- i. Boundary extensions on some existing seabird breeding SPAs to protect areas of sea that are ecologically important for the seabirds
 - ii. Inshore non-breeding waterbirds
 - iii. Off shore seabirds
 - iv. Important foraging areas for terns in Welsh waters.

¹³ Under Regulation 35 of the Conservation of Habitats and Species Regulations 2010.

¹⁴ Under Regulation 36 of the Conservation of Habitats and Species Regulations 2010.

0.6.7 We are all waiting on final conclusions for the different branches of the work. The colony extension work stream has progressed sufficiently to enable CCW to recommend three seaward extensions to existing breeding colony SPAs to Welsh Government (see Table 1). Welsh Government have asked CCW to take forward these recommendations in 2012/13.

Table 1: Recommendations for SPA boundary extensions

SPA	Recommended extension	Species
Skokholm & Skomer	4 km	Common Guillemot, Razorbill, Puffin, Manx shearwater
Grassholm	2 km	Northern Gannet
Aberdaron Coast & Bardsey Island. / Glannau Aberdaron & Ynys Enlli	9 km (from CCW & JNCC research)	Manx shearwater

Marine Strategy Framework Directive

- 0.6.8 Delivery of the Marine Strategy Directive is still in the early stages. Implementation of the MSFD is being coordinated by Defra via a UK MSFD Policy Steering Group, on which CCW sits. Technical support is coordinated via the UK Marine Monitoring and Assessment Strategy; again CCW is represented in this structure.
- 0.6.9 CCW has contributed to key consultation phases in the development and implementation of the Directive, including the UK Government administrations consultation in Spring 2012 on proposals for Good Environmental Status and the UK Initial Assessment. (These are the first 2 key requirements of the Directive.). CCW, and a number of other organisations, did comment that there is a lack of ambition in the UK proposals for Good Environmental Status description and targets, meaning it is unlikely that the first round of implementation of the Directive will drive substantial improvements in the status of Welsh and UK seas.
- 0.7.0 Under the transposing Marine Strategy Regulations (2010), Welsh Government is responsible for establishing a monitoring programme and programme of measures for Welsh seas. It is a particular concern that at present we do not have the resources in Wales needed to adequately deliver the next stages of the Directive.
- 0.7.1 In bringing together the functions of CCW and EAW, we can expect the new Natural Resource Body for Wales to have a crucial advisory role across all requirements of the Directive and delivery role for monitoring and management measures.
- 0.7.2 The MSFD is a very significant work area that needs to be adequately resourced if it is to deliver both the overarching framework it is expected to

provide, and the intended marine environmental benefits that take us towards truly sustainable use of our seas.

Water Framework Directive

- 0.7.3 There are strong links between the MSFD and the WFD which overlap in coastal waters out to 1 nm (and for chemical status out to 12 nm). MSFD focussed on the achievement of Good Environmental Status in marine waters, and WFD aiming to achieve Good Ecological and Good Chemical Status in rivers, lakes, groundwaters, estuaries and coastal waters. In order to improve the consistency of approaches across the two Directives, the UK proposals for Good Environmental Status targets and indicators for MSFD have been aligned as far as possible with similar targets and assessment tools under the WFD.
- 0.7.4 We are working closely with the Environment Agency at (national?) regional and local levels to ensure that the priority actions for protected sites (SAC, SPAs Ramsars etc.), set out in Annex D of the River Basin Management Plans, are linked closely to the appropriate measures. Although compared to the fluvial measures, there has been relatively little progress in the estuarine and coastal environment, CCW are continuing to work closely with the Agency to ensure additional measures are identified where necessary, the process is kept up to date with our Special Sites Actions Database (see paragraph 0.2.9) and as measures become operational they are monitored and reported on.
- 0.7.5 We are also liaising with the Agency to ensure that the Conservation Objectives for protected sites continue to remain the standard used to measure Good Ecological Status where appropriate and that the RBMPs seek to integrate the annex D actions into the mainstream delivery of the WFD.
- 0.7.6 Finally, we are working with all partners but particularly the water companies, Environment Agency and WG to ensure the review of the RBMPs and Action Plans take full account of the opportunities offered, particularly in bringing together complementary work areas, for example the developing PR14 work, Glastir and catchment initiatives such as the Cambrian Mountains Project, to build on and develop the ecosystem services approach as far as possible.

Common Fisheries Policy

- 0.7.7 The Committee interest in reform of CFP is welcome. CCW provided written and oral evidence to the Committee's enquiry in to the CFP and we refer the Committee to this previous response.

EU Integrated Maritime Policy

- 0.7.8 CCW advised on the development of the European Commission's Integrated Maritime Policy, which was published in 2007¹⁵. The Integrated Maritime Policy provides the high level governance framework for marine planning and management in Europe with the aim of providing a more coherent approach to maritime issues, with increased coordination between different policy areas.

¹⁵ Communication from the Commission, *An Integrated Maritime Policy for the European Union*, COM(2007)575, 10/10/2007.

A number of projects (actions) were proposed in the Policy, including the development of a roadmap for maritime spatial planning, which has subsequently been published¹⁶. The EU continues to promote and fund priorities for the Policy illustrating the continuing importance placed on integrated planning and management in the marine environment.

Integrated Coastal Zone Management (ICZM)

- 0.7.9 The European Parliament and Council published its ICZM Recommendations in May 2002¹⁷ which made recommendations on a number of areas including: a strategic approach to the management of coastal areas; a series of ICZM principles; production of national strategies. Although a review of the Recommendation was launched in 2001, the ICZM Recommendation as a policy initiative appears to have been somewhat overtaken by other integrated policy developments at a European level, including the Marine Policy Statement, and the Marine Strategy Framework Directive and interest in marine spatial planning.
- 0.8.0 Welsh Government published a strategy for delivery of ICZM in Wales in 2007¹⁸. CCW has worked to take forward its own actions in the strategy. We are not aware of future plans for specific ICZM related work, which may be due to the breadth of other marine policy and legislative commitments on the agenda for Wales at the present time.
- 0.8.2 ICZM remains an important process for bringing together the many and varied activities and priorities at the coast, and the process of marine planning, MSFD delivery and other areas of marine policy delivery may present further opportunities to implement ICZM principles.
- 2.5 Whether there is sufficient cooperation and coordination between the Welsh Government and its neighbouring administrations in relation to the management of its seas?**
- 0.8.3 Many marine management functions are areas of devolved responsibility, such as marine planning, marine licensing, fisheries management and nature conservation. Responsibility for some key remains at a UK level areas such as licensing of large infrastructure projects, overall UK delivery of European Directives. The mix of responsibility, and limited resources naturally focussed on internal delivery in Wales, does make cooperation and coordination a challenge. However despite this challenge there has been good cooperation in a number of areas.
- 0.8.4 The joint UK administrations Marine Policy Statement was published in 2011 after an inclusive process of consultation with stakeholders. There has also been good coordination to date over delivery of the MSFD, with Defra taking

¹⁶ Communication from the Commission, *Roadmap for Maritime Spatial Planning: Achieving Common Principles in the EU*, COM/2008/0791 final

¹⁷ Recommendation of the European Parliament and of the Council of 30 May 2002 concerning the implementation of Integrated Coastal Zone Management in Europe, 2002/413/EC

¹⁸ Welsh Assembly Government (2007) *Making the Most of the Coast: the ICZM Strategy For Wales*

a strong lead and Welsh Government contributing to the governance and decision making process. Defra intend to continue playing a coordinating role in the next stages of delivery (monitoring programme and programme of measures) although direct responsibility for these stages lies with Welsh Government. Given concerns over lack of resources to deliver the next stages of MSFD in Wales, it is not clear now well the existing good coordination will continue.

0.8.5 There is a need to join up and collaborate on development and delivery of similar areas of marine policy and legislation with neighbouring administrations to avoid conflict that creates difficulties for stakeholders, and also to ensure the full potential environmental, economic and societal benefits are achieved. Differences in timing of delivery across administrations, however, makes meaningful collaboration harder; for example the different pace of development of the Welsh and neighbouring MCZ Projects made meaningful interaction difficult. The disparity in progress with marine planning in Wales compared to England also mean that we are likely to miss the opportunity for meaningful collaboration over marine planning in border areas.

0.8.6 Following the formation of Inshore Fisheries Conservation Agencies and the Marine Management Organisation in England, and the absorption by Welsh Government of the functions of the Welsh sea fisheries committees, there are now opportunities for development of joint working arrangements and agreements across the borders of Wales.

0.8.7 CCW works actively with other statutory nature conservation bodies throughout the UK to address collective marine nature conservation issues, and where appropriate provide joint advice to Government. The JNCC has an important function in coordinating advice on UK-wide conservation issues. We expect to see CCW's collaborative UK role continued in the new Natural Resources Body for Wales. However, the increasing volume of marine work in recent years coupled with pressure on resources has meant this UK-wide collaboration has become harder to achieve as fully as in the past.

2.6 Whether the Welsh Government has sufficient financial and staff resource to deliver on its marine policy and legislation objectives?

0.8.8 As is clear from the scope of the Committee's inquiry the breadth of the current programme of marine policy and legislative delivery is substantial. The availability of adequate resources, both finance and people, is challenging not only Welsh Government, but Wales in general. Many areas of marine work are also new compared to terrestrial conservation, planning and management systems (such as the MSFD, and new powers in the Marine Act) creating further challenges in terms of capacity for delivery.

0.8.9 It is clear that the current level of resources is not enabling Wales to keep pace with policy delivery elsewhere in the UK. At current levels of resourcing Wales may also struggle to keep pace with the next stages of MSFD delivery,

certainly at the scale indicated by recent UK government administration proposals for delivery of Good Environmental Status in UK seas (see section 2.4, paragraphs 0.6.8 – 0.7.2).

- 0.9.0 Government has published detailed Impact Assessments of the cost and benefits of delivery of substantial pieces of new legislation in recent years, including the Marine Act and the Marine Strategy Framework Directive¹⁹. These assessments show that implementation comes with significant costs but we have not yet seen equivalent additional funding from Government to match the forecast necessary investment. However, the assessments also show that if this investment in delivery is made, this should result in economic benefits that are orders of magnitude higher than the costs. For example, the Impact Assessment for the Marine Act concluded that the total cost of implementation was £736m – £1.54bn, whilst the total benefit was £8.6bn – £19.6bn.
- 0.9.1 If resourced better, the size of Wales and well connected organisations represents a huge opportunity to improve the condition and management of our important marine environment and heritage. It is also an opportunity to lead the way in integrated, ecosystem-based marine planning and management.
- 0.9.2 Despite limited resources, Welsh Government has none the less made significant progress in implementing key areas of marine policy, such as the Marine Consents Unit, and delivery of new fisheries management functions.
- 0.9.3 Whilst noting that more resources are needed, CCW recognises the reality that resources are not unlimited, especially in the current financial climate. It is therefore all the more important to have a clear vision and integrated governance structure to make effective and efficient use of available resources. CCW understands that Welsh Government has been examining its marine governance structures; we therefore look forward to the efficiencies and coherence this may bring to marine policy delivery.
- 0.9.4 The new Natural Resources Body for Wales will have a vital role in advising on and supporting delivery of marine policy and legislation in Wales. This new organisation therefore represents a major opportunity for more integrated delivery, but this will need to be led by a clear coherent vision and priorities from Government, coupled with the resources to actively deliver on these priorities.

¹⁹ Examples of Impact Assessments include:

Defra (2009) *Marine and Coastal Access Act Impact Assessment: Final - Royal Assent*, Defra, March 2010

Defra (2010) *Transposition of the Marine Strategy Framework Directive: Final Impact Assessment*, Defra, June 2010

Defra (2012) *Marine Strategy Framework Directive Consultation: UK Initial Assessment and Proposals for Good Environmental Status*, Defra, March 2012

2.7 Whether stakeholders have been sufficiently involved in the shaping of new policies and the development of legislation?

0.9.5 Actively involving stakeholders in initiatives that affect their interests and concerns is fundamental to the way CCW works. We recognise the relevance and importance of the Making the Connections Agenda and the need for citizen focussed delivery of our functions.

Box 3: FishMap Môn

FishMap Môn aims to work collaboratively with fishers to help improve the sustainability of fisheries around Anglesey and the Menai Straits and in doing so, help achieve the vision of the Wales Fisheries Strategy which is to “support the development of viable and sustainable fisheries in Wales as an integral part of coherent policies for safeguarding the environment”. As a pilot project, FishMap Môn will engage with the local fishing industry in trialling approaches of collecting and mapping information on fishing activity and combining it with existing data on habitat type and sensitivity.

0.9.6 Partnership working is central to CCW’s approach and we work daily with stakeholders at a national and local level. The FishMap Môn project is a good example of CCW’s active collaborative working; details of the project are given in Box 3. It is encouraging to see this ethos of collaborative partnership working in advocated in the recent “Striking the Balance” Publication by the Welsh Fisherman’s Association²⁰.

0.9.7 CCW understands the value of regular informal engagement and building relationships and understanding of our work and that effective ongoing stakeholder engagement takes considerable time and resources. We also recognise that at times there are areas of policy that Government and other organisations may need to develop to a certain point before engaging more widely and that this is a difficult judgement to get right.

0.9.8 CCW recognises that Welsh Government does seek to engage stakeholders in marine policy and legislation development, and there are some good examples of this. The system of stakeholder engagement groups established by Welsh Government fisheries that look at fisheries policy proposals is one such example. Stakeholders have also been engaged in developing thinking in others areas such as on marine planning through advice from WCMP in 2007 and Government’s initial consultation on the marine planning process for Wales in May 2011.

0.9.9 Welsh Government also recently conducted a stakeholder engagement exercise through the consultation on proposals for highly protected MCZs. This consultation provoked significant debate not only on the proposals themselves but on the process of engagement. There are therefore lessons to be learnt from this process in terms of timing, depth and nature of stakeholder engagement as well as anticipating and mitigating potential problems.

²⁰ Wooler, A (2012) *Striking the Balance: An Ecosystem-based Approach for MPA Management in Wales* Welsh Fishermen’s Association Ltd, July 2012

- 1.0.0 One principle of effective stakeholder engagement is identifying the right organisation to take that engagement forward. For national policy issues and development of legislation it is clearly the role of Government to lead stakeholder engagement. However, for detailed delivery proposals that have clear direct local impact, it may be more appropriate for a delivery organisation with a local presence to undertake the necessary communication and engagement.
- 1.0.1 There are a variety of existing structures in Wales, such as the WCMP and local coastal partnerships that can provide the opportunity to engage directly with stakeholders in the development and delivery of policy and legislation. Stakeholders could be more actively and consistently used to input to the work of Government, including better use of these existing structures.

Cyngor Cefn Gwlad Cymru
Countryside Council for Wales
September 2012

ANNEX 1: Evidence of changes in the marine environment

Example publications that review changes in our seas include:

- Defra (2010) *Charting Progress II: The State of the UK's Seas*.
<http://chartingprogress.defra.gov.uk>
- Gubbay, S. (2009) *A Selective review of historical information about the marine environment around Wales*. Report to WWF Cymru

The following extracts are from an Article for CCW's Winter 2010 H₂O newsletter, summarising findings from Charting Progress II:

The key **UK scale environmental messages** from the report are:

- Sea levels have risen by about 14cm during the last century and surface temperatures have increased by 1°C since the late nineteenth century;
- Populations of sea birds and harbour seals are declining in some areas;
- Fish stocks have improved but many are still fished unsustainably;
- Many estuaries are cleaner and this has increased the diversity and number of fish species;
- Contamination by hazardous substances (such as heavy metals)
- has reduced in most regions, and there are few or no problems relating to radioactivity, eutrophication, or algal toxins in seafood;
- Litter, particularly plastic, was found on all beaches surveyed, as well as the sea and on the seabed;
- Marine industries, contributed £47 billion to the economy in 2008; and
- The main pressures on the marine environment are damage to, and loss of, habitat on the seabed from fishing and the presence of physical structures.

Welsh observations based on *Charting Progress 2* and CCW experience:

Since the mid-1980s the Irish Sea has one of the clearest regional warming profiles, with sea level rise and flood risk identified as important issues for north Wales and around the Bristol Channel. The state of intertidal rock and sediment habitat is deteriorating as a result of rising sea level and water temperatures, with localised shell fish harvesting, litter, coastal structures and non-native species having a cumulative effect.

In general new records of marine non-native species are being frequently reported, and some have a detrimental invasive capacity.

Subtidal sediment habitats are being affected to varying degrees by dredging and trawling for fishing. Localised pressures on subtidal habitats include aggregate extraction, and the installation of renewable energy infrastructure.

The main pressure on fish populations is the removal of fish by commercial fishing activities. There is some commercial species farming, such as mussels in the Menai Strait.

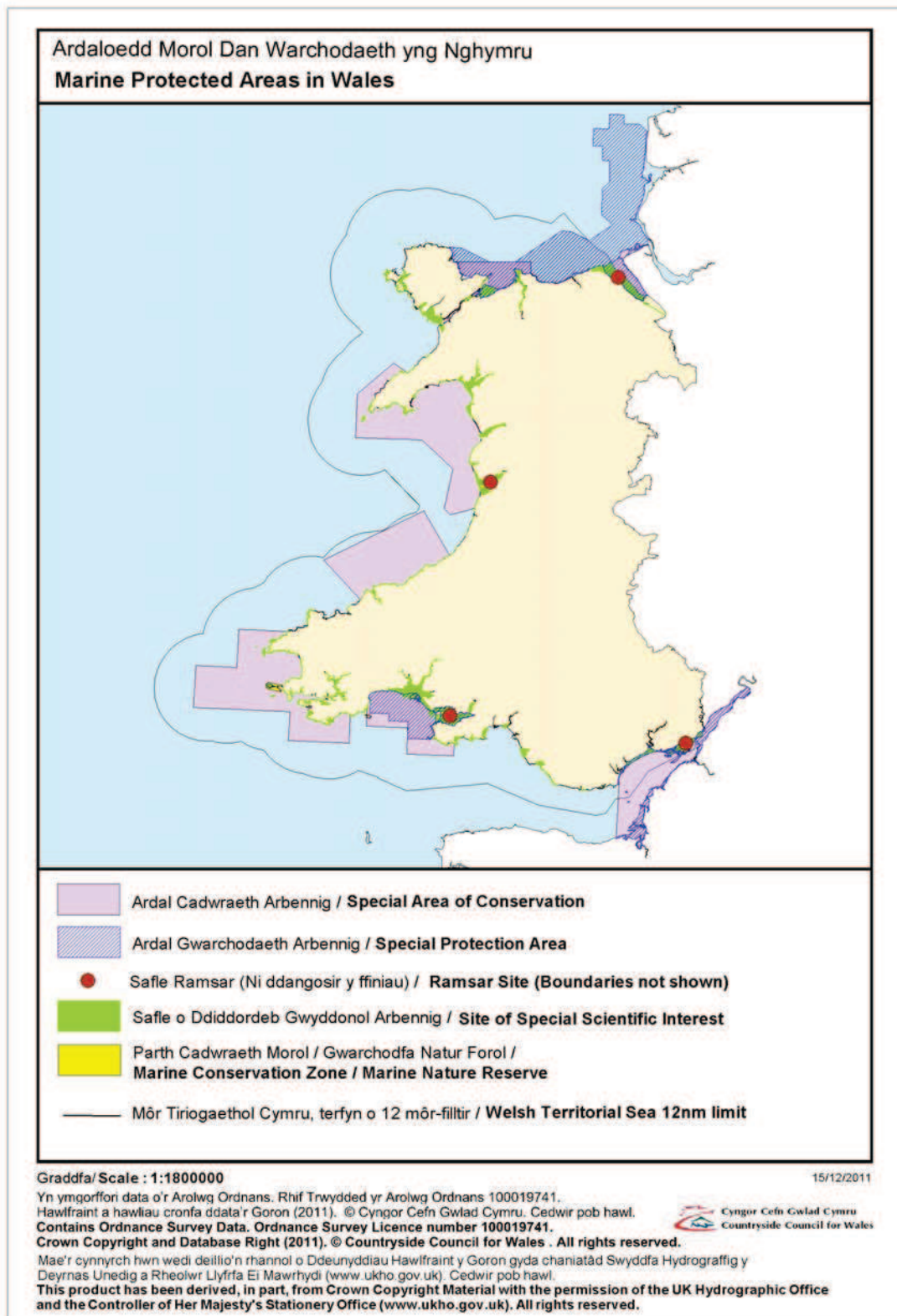
Welsh seabird colonies have not experienced the population declines recorded in other regions. Changes in the Welsh wintering distribution of estuarine birds have been noticed recently and may be related to climatic change.

Grey seal populations are thought to be relatively stable but they are difficult to survey in Wales as they use caves and remote locations for breeding. Equally, cetacean populations may be stable but there is a low level of confidence associated with the assessment in *Charting Progress 2*.

Some Welsh estuaries (and river systems) are known to have a legacy of contaminated sediments resulting from historic industrial activity. In general, beach litter is considered an aesthetic and economic problem but more research is needed to fully understand the ecological implications.

(Extracts from article by Catherine Duigan.)

ANNEX 2: Map of Marine Protected Areas in Wales



ANNEX 3: MPA reporting cycles and requirements

Special Areas of Conservation: SAC reporting is governed by Article 17 of the Habitats Directive. Article 17 requires member states to report on measures taken and their outcome in terms of conservation status for species and habitats listed in the Directives' Annexes. The reporting relates to features wherever they are found (i.e. not just in SACs). There have been 2 previous reporting rounds the most recent being in 2007. The next reporting date is 2013, with reporting at a UK level coordinated by JNCC.

CCW is also currently preparing data for submission to the third round of six-yearly Habitats Directive Article 17 reporting, due in 2013. CCW is collating data on distribution and extent (range) of features and how this has changed, as well as information on structure and function. CCW will also break down data on a site by site basis to improve our understanding of the condition of MPAs and follow on from site based reporting also done in 2007.

Special Protection Areas: Article 12 of the Birds Directive requires member states to report on implementation of the Directive every 3 years, although the UK has not adhered strictly to this timetable. The European Commission is planning to change reporting requirements to synchronise better with Habitats Directive reporting requirements.

JNCC's 2001 review of implementation of the Bird's Directive mainly focused on the terrestrial environment but recognises the need for a review of implementation in the Marine Environment. The next major review of implementation of the Bird's Directive is due in December 2013 (the beginning of the process of synchronising reporting with the Habitats Directive)

SSSI: Where SSSIs overlap with EMSs and the same marine habitats and/or species are encompassed by both designations, information about the marine features is collected through a single programme of monitoring. However, there are many SSSI with marine features out-with EMS and monitoring the condition and conservation status of all of these in Wales is a challenge. Currently CCW monitors marine SSSI features as far as resources allows, employing a risk based approach in prioritising monitoring activities and working collaboratively with other organisations undertaking marine monitoring work (such as the Environment Agency) in order to maximise monitoring capacity.

In 2006 a 'Rapid Review' was undertaken to assess the condition of Welsh SSSIs. This process used the best available information for features, combined with CCW officers' professional judgement. The review data has not been broken down for all marine SSSI features, however intertidal habitat was reported on.

Ramsar sites: Ramsar reporting is submitted to the Ramsar Secretariat every 6 years. Reporting is quite high level and integrated across the UK²¹. It is therefore hard to

²¹ The latest UK report (June 2012) on the implementation of the Ramsar convention on wetlands can be found at <http://www.ramsar.org/pdf/cop11/nr/cop11-nr-uk.pdf>

extract specific information to make a clear judgment on the status of Ramsar sites that form part of the suite of Welsh MPAs.

Marine Conservation Zones: Section 124 of the Marine and Coastal Access Act (2009) requires Welsh Government to lay a report before the National Assembly for Wales in 2012, and six yearly thereafter, on the extent to which they have achieved the objectives in the Act to use MCZs to contribute to a UK MPA network. The report must also cover further steps needed, as well as various details on any MCZs designated. The objectives for the network that must be met by a combination of EMSs, SSSIs, Ramsar sites and MCZs are that:

- (a) that the network contributes to the conservation or improvement of the marine environment in the UK marine area;
- (b) that the features which are protected by the sites comprised in the network represent the range of features present in the UK marine area;
- (c) that the designation of sites comprised in the network reflects the fact that the conservation of a feature may require the designation of more than one site.

The objectives a, b and c above can be interpreted as:

- (a) Effective/ favourable management leading to favourable condition of sites
- (b) Representivity
- (c) Replication

Skomer MNR reporting: The conservation status of MNR features is assessed according to performance indicators set out in the site management plan. MNR features differ from those in the surrounding European marine site in that they are selected and assessed in a similar way to those on National Nature Reserves and they are at a different scale (except for species such as the Atlantic grey seal).

MNR monitoring data and conservation status assessments are also used to help determine the condition and conservation status of EMS features for the surrounding Pembrokeshire Marine SAC of which the Skomer MNR forms part.

ANNEX 4: CCW's conclusions and recommendations to Welsh Government following CCW's MPA management review

The follows recommendations were made to Welsh Government in Spring 2012:

Overall CCW has concluded that there is a need for greater leadership in securing well managed MPAs. Welsh Government, supported by CCW, the Single Body, and others should take on this role, working to deliver effective MPA management that is integrated across Government with a strong element of stakeholder involvement in line with the Sustaining a Living Wales approach and thereby clearly contributing to the wider sustainable development agenda for Wales. Effective MPA management needs to be more clearly recognised as being an integral part of achieving the Government's shared vision for clean, healthy, safe, productive, biologically diverse marine and coastal environments, as well as delivering the Marine Strategy Framework Directive. We advise Welsh Government that this can be achieved by:

- Building on Government's commitment to secure a well managed network of MPAs by adopting a strategic vision for the suite of Welsh MPAs and their management which acts to guide delivery of MPA management across Wales. For example: Welsh MPAs are under effective and consistent management that safeguards the marine wildlife and habitats of those sites and delivers wider ecosystem benefits including the delivery of clean, safe, healthy, productive and biologically diverse Welsh seas. MPAs are valued for the benefit they provide to the people of Wales through the protection of their rich natural and cultural heritage, and their role in helping ensure that the marine environment continues to provide a full range of benefits to society for the long term.
- Ensuring that Welsh MPAs and delivery of effective MPA management are integral to delivery of the Sustaining a Living Wales Programme and sustainable development in Wales.
- Establishing a Welsh Government-led MPA Management Steering Group in order to provide a clear steer and a coordinated approach to the management of Welsh MPAs. The group should develop Terms of Reference that support delivery of the Welsh Government vision and MPA strategy. We would suggest that the group should focus on:
 - Establishing better ways of working to improve management of our MPAs and steer national and local MPA management work accordingly.
 - Ensuring that MPA Management Authorities²² in Wales play an active role in the Group and the delivery of effective MPA management.

²² The term management authorities (MAs) is used to refer collectively to all organisations with statutory responsibilities in relation to any type of MPA, or who are significant seabed or coastal land owners. This includes: relevant and competent authorities under the Habitats Regulations 2010 and public authorities under the Marine and Coastal Access Act 2009 and the Natural Environment and Rural Communities Act 2006 (CROW Act).

- Guiding the formation of local MPA Management Groups to oversee the management of all MPAs within suitably sized Management Areas.
 - Ensuring that prioritised, focussed local action and delivery plans with clear objectives, or equivalent, are prepared and implemented for each Management Area.
 - Working with the new MPA Management Groups to prioritise gaps in knowledge and facilitate better dissemination of relevant information.
 - Raising awareness and understanding among all stakeholders of the value of the suite of Welsh MPAs, the benefits that they provide and, at a strategic level, their management needs.
- Ensuring that appropriate incentives are in place to secure the long term, adequate resourcing of integrated MPA management delivery and supporting structures.
 - Encouraging, supporting and funding the continuing development of a sound, accessible, freely available and integrated evidence base to underpin management of Welsh MPAs.
 - Ensuring that the suite of Welsh MPAs and their management needs are integrated with existing and future policy and relevant legislation.
 - Ensuring that Wales continues to contribute to wider MPA networks (UK, European and world-wide) including working effectively with cross border management authorities on cross border MPAs in the UK.
 - Ensuring that Welsh MPAs continue to provide a wide range of benefits to society and contribute to wider ecosystem health and function.



Cyngor Cefn Gwlad Cymru /
Countryside Council for Wales

Prosiect AmdW /
MPA Project

Ardaloedd Morol dan Warchodaeth ym Moroedd Cymru - Ystadegau Cryno

Marine Protected Areas in Welsh Seas - Summary Statistics

Paratowyd gan / Prepared by: Jennie Jones
Ymgynghorydd Rheoli'r Môr / Marine Management Advisor
Cyngor Cefn Gwlad Cymru / Countryside Council for Wales

20/09/2012

Rheoli fersiynau /
Version control

Version	Change	Made by	Date
1.0	Original	J.Jones	22/07/2010
2.0	MPA map included.	J.Jones	17/05/2011
3.0	MPA map updated.	J.Jones	18/08/2011
4.0	Title changed from Welsh Territorial Seas to 'Welsh Seas' acknowledging inclusion of intertidal (MHW to MLW) and MLW to 12 nautical mile boundary.	J.Jones	20/10/2011
6.0	SPA dataset amended for change in definition of 'marine SPAs' ¹ reducing number of SPAs from 10 to 6 sites.	J.Jones	15/12/2011
7.0	Calculations for MHW to 6 nautical mile boundary included and number of SSSI with saltmarsh as the only feature corrected from 9 to 11 sites.	J.Jones	15/05/2012
8.0	Format amendment to document	J. Jones	20/09/2012

¹ Change in criteria for selection of species considered as marine components agreed with JNCC December 2011. Amended to include species that are dependent on the marine environment within the protected area. This change has not yet been reflected in the list of SPAs with marine components available on JNCC website 20/09/2012.

Contents	Page
Summary Statistics	4
Calculations for Marine Protected Areas in Welsh Seas	5
Annex 1: Table of Marine Protected Areas included in the suite of Welsh MPAs	7
Annex 2: Map of Marine Protected Areas in Welsh Seas included in calculations	12
Annex 3: Derivation of summary statistics.	13

Ardaloedd Morol dan Warchodaeth ym Moroedd Cymru /

Marine Protected Areas in Welsh Seas

Ystadegau Cryno / Summary Statistics

	Nifer yr Ardaloedd Morol dan Warchodaeth (AMdW) / Number of Marine Protected Areas (MPAs)	Arwynebedd Moroedd Cymru a orchuddir gan / Area of Welsh Seas covered (km²)	Cyfran o Fforoedd Cymru o fewn / Proportion of Welsh Seas covered (%)	
Moroedd Cymru / Welsh Seas²		15,941.76		
Ardaloedd Morol Dan Warchodaeth / Marine Protected Areas	125		35.08	(see statistic number 18 in list below)
Ardaloedd Cadwraeth Arbennig (ACA) / Special Areas of Conservation (SACs)	11	5,007.45	31.41	(see statistic number 3 in list below)
Ardaloedd Gwarchodaeth Arbennig (AGA) / Special Areas of Protection (SPAs)	6	1,287.51	8.08	(see statistic number 5 in list below)
Safleoedd o Ddiddordeb Gwyddonol Arbennig / Sites of Special Scientific Interest (SSSIs)	103	421.18	2.64	(see statistic number 9 in list below)
Ramsar	4	240.14	1.21	(see statistic number 13 in list below)

² Welsh seas include the area of intertidal (Mean High Water to Mean Low Water) plus the area of Welsh territorial sea (below MLW to 12 nautical mile limit).

Calculation of Area Totals of Marine Protected Areas in Welsh Seas^{3 4}

NB. To avoid double-counting where designated sites overlap, only those portions of SPAs and SSSIs that lie outside of SAC have been included in the calculations. All measurements use Cartesian area calculated by MapInfo GIS converted using $1 \text{ km}^2 = 100 \text{ Ha}$. The area may differ slightly from the registered area⁵.

1. **Area of Welsh seas** = 15,941.76 km²

(= Intertidal (Mean High Water to Mean Low Water) +
Welsh territorial sea (below MLW to 12 nautical mile limit))

Special Areas of Conservation (SACs)

2. SAC total area within Welsh seas = 5,007.45 km²

3. Percentage of Welsh seas covered by SAC = 31.41%

(= Area of SAC 5007.45 / Area of Welsh Seas 15,941.76 *100)

Special Protection Areas (SPAs)

4. SPA total area within Welsh seas = 1,287.51 km²

5. Percentage of Welsh seas covered by SPA = 8.08%

(= Area of SPA 1287.58 / Area of Welsh Seas 15,941.76 *100)

6. Area of SPA outside of SACs within Welsh seas = 542.02 km²

(= Area of SPA outside SACs 542.02 / Area of Welsh Seas 15,941.76 *100)

7. Percentage of Welsh seas covered by SPA that are not within SAC = 3.4%

Sites of Special Scientific Interest (SSSIs)⁶

8. SSSI total area within Welsh seas = 421.18 km²

9. Percentage of Welsh seas covered by SSSI= 2.64%

(= Area of SSSI 421.18 / Area of Welsh Seas 15,941.76 *100)

10. Area of SSSI that is outside SAC or SPA or Ramsar within Welsh seas = 42.36 km²

11. Percentage of Welsh seas covered by SSSI that are not within SAC or SPA = 0.34%

(= Area of SSSI not in SAC or SPA 42.36 / Area of Welsh Seas 15,941.76 *100)

³ See Annex 1 for list of sites, amounts and areas included in calculations

⁴ See Annex 2 for map of Marine Protected Areas listed included in calculations

⁵ [Weblink to CCW Designated Site Search](#) for site information including registered areas.

⁶ SSSI that have notified or qualifying intertidal or marine features see Appendix 1 list 6

Ramsar

12. Ramsar total area within Welsh seas = 193.46 km²

13. Percentage of Welsh seas covered by Ramsar = 1.21%

(= Area of Ramsar 193.46 / Area of Welsh Seas 15,941.76 *100)

14. Area of Ramsar that is outside SAC or SPA within Welsh seas = 0 km²

Marine Nature Reserve (MNR)

15. MNR total area within Welsh seas = 13.24 km²

16. Percentage of Welsh seas covered by Marine Nature Reserve = 0.08%

(= Area of MNR 13.24 / Area of Welsh Seas 15,941.76 *100)

Suite of MPAs

17. Percentage of Welsh seas covered by SAC + SPA outside SAC = 34.81%

(= Area of SAC 5007.45 + Area of SPA outside of SAC 542.08 / Area of Welsh Seas 15,941.76 *100)

18. Percentage of Welsh seas covered by SAC + SPA outside SAC + SSSI outside SAC or SPA + Ramsar outside of SAC or SPA = 35.08%⁷

(= Area of SAC 5007.45 + Area of SPA outside SAC 542.08 + Area of SSSI outside SAC or SPA or Ramsar 42.36 + Ramsar outside of SPA or SAC 0 / Area of Welsh Seas 15,941.76 *100)

Within Six Nautical Mile Boundary

19. SAC total area within 6nautical mile (nm) to Mean High Water (MHW) = 4,573.09 km²

20. Percentage of 6nm to MHW covered by SACs = 45.72%

(= Area of SAC 4,573.09 / Area of sea within 6nm to MHW 10,001.63 * 100)

21. SPA total area within 6nm to MHW = 1,209.87 km²

22. Percentage of 6nm to MHW covered by SPAs = 12.09%

(= Area of SPA 1,209.87 / Area of sea within 6nm to MHW 10,001.63 * 100)

23. Area of SPAs outside of SACs within 6nm to MHW = 462.60 km²

24. Total area of SACs and SPAs outside of SACs within 6nm to MHW = 5,035.69 km²

(= Area of SACs 4,573.09 + Area of SPAs outside of SACs 462.60)

25. Percentage of 6nm to MHW covered by SACs and SPAs outside of SACs = 50.35%

(= Area of SACs 4,573.09 + Area of SPAs outside of SACs 462.60 / Area of sea within 6nm to MHW 10,001.63 * 100)

⁷ This figure is inclusive of the area of Skomer MNR that lies within the Sir Benfro Forol / Pembrokeshire Marine SAC

Annex 1: Table of Marine Protected Areas (SAC, SPA, RAMSAR, SSSI – intertidal and saltmarsh, MNR) included in the suite of MPAs in Wales.

NB. For consistency, all calculations have been carried out using Cartesian area of sites calculated by MapInfo GIS. The area may differ slightly from the registered area⁸.

Existing Marine Protected Areas (SAC, SPA, RAMSAR, SSSI – intertidal and saltmarsh, MNR) to be Considered as Part of the MPA network	Welsh waters covered (Cartesian Area (km ²)) ⁹	English and Welsh waters covered (Cartesian Area (km ²))
1. SAC		
Bae Cemlyn / Cemlyn Bay	0.44	
Bae Ceredigion / Cardigan Bay	958.65	
Bae Caerfyrddin ac Aberoedd / Carmarthen Bay and Estuaries	661.08	
Aber Dyfrdwy / Dee Estuary (Wales)	74.98	158.06
Glannau Môn: Cors heli / Anglesey Coast: Saltmarsh	10.58	
Cynffig / Kenfig	11.91	
Arfordir Calchfaen de Orllewin Cymru / Limestone Coast of South West Wales	15.95	
Sir Benfro Forol / Pembrokeshire Marine	1380.66	
Pen Llŷn a'r Sarnau / Llyn Peninsula and the Sarnau	1460.35	
Môr Hafren / Severn Estuary (Wales)	267.70	737.15
Y Fenai a Bae Conwy / Menai Strait and Conwy Bay	265.02	
Total Area of 11 SAC (km²) =	5107.57	
3. SPA¹⁰		
Bae Caerfyrddin / Carmarthen Bay	334.10	
Burry Inlet	66.73	
Môr Hafren / Severn Estuary	68.89	244.90
Aber Dyfrdwy / Dee Estuary	68.02	131.61
Traeth Lafan / Lavan Sands, Conway Bay	27.03	
Liverpool Bay SPA (Wales)	753.40	1702.93
Total Area of 6 SPA (km²) =	1318.17	
4. RAMSAR		
Burry Inlet	66.73	
Cors Fochno and Dyfi (33.92% or 844.66 Ha of this site lies outside of Dyfi Estuary/Aber Dyfi SPA)	25.08	
Severn Estuary (Wales)	68.89	244.90
The Dee Estuary (Wales)	79.44	143.03
Total Area of 4 RAMSAR sites (km²) =	240.14	
5. MNR/MCZ		
Skomer	13.24	
Total Area of MNR (km²) =	13.24	

⁸ [Weblink to CCW Designated Site Search](#) for site information including registered areas.

⁹ Areas include total area of SAC, SPA or SSSI in Wales. For consistency, these are Cartesian areas calculated by MapInfo GIS not registered areas of sites.

¹⁰ Number SPAs with marine components reduced from 10 sites to 6 after change in definition for marine species = those dependent on the marine environment within the protected area agreed with JNCC December 2011. This change is not yet reflected in the list of SPAs with marine components available on JNCC website 20/09/2012.

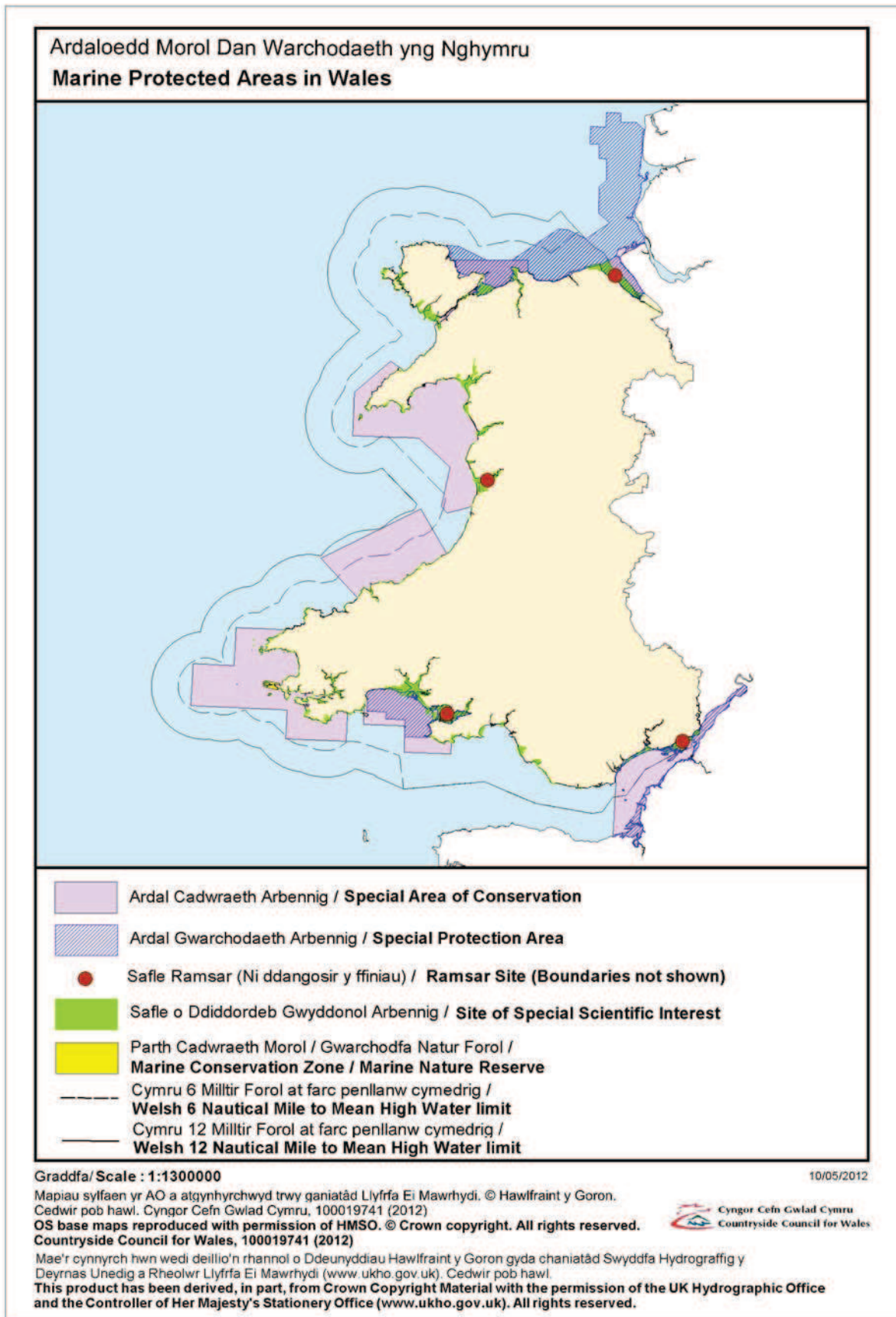
6. SSSI with Notified or Qualifying Intertidal Marine Features (NB Sites may also have Notified or Qualifying Saltmarsh - see number 7 below for separate list of saltmarsh only sites)	Welsh waters covered (Cartesian Area (km²))	English and Welsh waters covered (Cartesian Area (km²))
Aber Afon Conwy	13.01	
Aber Mawddach / Mawddach Estuary (saltmarsh and intertidal features)	13.51	
Aber Taf / Taf Estuary (saltmarsh only – no intertidal features)	15.00	
Aberarth-carreg Wylan	9.97	
Afon Dyfrdwy / River Dee (saltmarsh only – no intertidal features)	14.91	
Afon Teifi (saltmarsh only – no intertidal features)	7.78	
Afon Tywi (saltmarsh only – no intertidal features)	13.14	
Allt Wen a Traeth Tanybwllch	0.36	
Arfordir Abereiddi	0.64	
Arfordir Gogleddol Penmon	1.03	
Arfordir Marros-Pentywyn / Marros-Pendine Coast	2.49	
Arfordir Niwngwl - Aber bach / Newgale to Little Haven Coast	2.06	
Arfordir Pen-bre / Pembrey Coast (saltmarsh and intertidal features)	41.32	
Arfordir Penrhyn Angle / Angle Peninsula Coast	1.34	
Arfordir Saundersfoot - Telpyn / Saundersfoot - Telpyn Coast	1.52	
Beddmanarch - Cymyran (saltmarsh and intertidal features)	8.91	
Blackpill, Swansea	4.54	
Borth - Clarach	0.86	
Bracelet Bay	0.06	
Broadwater (saltmarsh and intertidal features)	2.62	
Burry Inlet and Loughor Estuary (saltmarsh and intertidal features)	58.51	
Castlemartin Cliffs and Dunes	7.58	
Caswell Bay	0.63	
Cemlyn Bay	0.44	
Coedydd Afon Menai	0.23	
Craigyfulfran & Clarach	0.25	
Creigiau Aberarth-Morfa	0.20	
Creigiau Cwm-Ceriw a Ffos-Las (Morfa Bychan)	0.32	
Creigiau Pen y graig	0.23	
Creigiau Rhiwledyn / Little Ormes Head	0.36	
Crymlyn Burrows (saltmarsh only – no intertidal features)	2.35	
Cynffig / Kenfig	7.77	
Dale and South Marloes Coast	2.90	
De Porth Sain Ffraid / St Bride's Bay South	1.35	
Dee Estuary / Aber Afon Dyfrdwy (saltmarsh and intertidal features)	74.08	
Dyfi (saltmarsh and intertidal features)	37.95	
East Aberthaw Coast	0.68	
Flat Holm	0.35	
Freshwater East Cliffs to Skrinkle Haven	1.40	
Glanllynau a Glannau Pen-Ychain i Gricieth	1.43	
Glannau Aberdaron	3.04	
Glannau Penmon - Biwmares	1.71	
Glannau Porthaethwy	0.68	
Glannau Rhoscolyn (saltmarsh and intertidal features)	1.45	
Glannau Tonfanau i Friog	1.71	
Glannau Ynys Gybi: Holy Island Coast	4.01	
Glaslyn (saltmarsh only – no intertidal features)	4.35	
Gower Coast: Rhossili to Porteynon	3.62	
Grassholm / Ynys Gwales	0.12	

6. SSSI with Notified or Qualifying Intertidal Marine Features (NB Sites may also have Notified or Qualifying Saltmarsh - see number 7 below for separate list of saltmarsh only sites)	Welsh waters covered (Cartesian Area (km²))	English and Welsh waters covered (Cartesian Area (km²))
Gronant Dunes and Talacre Warren (saltmarsh and intertidal features)	5.19	
Gwydir Bay	0.55	
Hook Wood (saltmarsh only – no intertidal features)	0.12	
Horton, Eastern and Western Slade	0.54	
Lydstep Head to Tenby Burrows	2.01	
Merthyr Mawr (saltmarsh and intertidal features)	4.78	
Milford Haven Waterway (saltmarsh and intertidal features)	21.92	
Monknash Coast	1.29	
Morfa Dyffryn (saltmarsh and intertidal features)	7.41	
Morfa Harlech (saltmarsh and intertidal features)	22.20	
Morfa Uchaf Dyffryn Conwy (saltmarsh only – no intertidal features)	1.95	
Mynydd Penarfynnydd	1.61	
Mynydd Tir Y Cwmwd a'r Glannau at Garreg Yr Imbill	1.65	
Newborough Warren -Ynys Llanddwyn (saltmarsh and intertidal features)	23.43	
Newport Cliffs	0.48	
Oxwich Bay (saltmarsh only – no intertidal features)	4.07	
Pen y Gogarth / Great Ormes Head	3.30	
Penard Valley (saltmarsh only – no intertidal features)	0.32	
Penarth Coast	0.88	
Penrhynoedd Llangadwaladr	1.77	
Porth Ceiriad Porth Neigwl ac Ynysoedd Sant Tudwal	5.59	
Porth Dinllaen i Borth Pistyll	1.29	
Porth Towyn i Borth Wen	0.74	
Puffin Island / Ynys Seiriol	0.31	
Pwll-Du Head and Bishopston Valley	1.60	
Ramsey / Ynys Dewi	2.97	
Rhosneigr Reefs	0.28	
Severn Estuary (saltmarsh and intertidal features)	68.54	
Skokholm	1.16	
Skomer Island and Middleholm	3.32	
Southerndown Coast	1.53	
St. David's Peninsula Coast	6.86	
St. Margaret's Island	0.11	
Stackpole	3.14	
Stackpole Quay - Trewent Point	0.64	
Strumble Head - Llechedafad Cliffs	2.05	
Sully Island	0.11	
Tenby Cliffs and St. Catherine's Island	0.47	
The Offshore Islets of Pembrokeshire / Ynysoedd Glannau Penfro	0.29	
The Skerries	0.17	
Tiroedd a Glannau Rhwng Cricieth ac Afon Glaslyn	5.77	
Traeth Lafan	26.91	
Traeth Llanon	0.27	
Traeth Lligwy	0.27	
Twyni Chwitfordd Morfa Landimor a Bae Brychdwn / Whiteford Burrows etc (saltmarsh and intertidal features)	13.96	
Twyni Lacharn - Pentywyn / Laugharne – Pendine Burrows	23.02	
Ty Croes	0.28	
Tywyn Aberffraw (saltmarsh only – no intertidal features)	3.70	
Waterwynch Bay to Saundersfoot Harbour	0.87	

6. SSSI with Notified or Qualifying Intertidal Marine Features continued (NB Sites may also have Notified or Qualifying Saltmarsh - see number 7 below for separate list of saltmarsh only sites)	Welsh waters covered (Cartesian Area (km²))	English and Welsh waters covered (Cartesian Area (km²))
Wig Bach a'r Glannau i Borth Alwm	0.44	
Y Foryd	2.83	
Ynys Enlli	2.06	
Ynys Feurig	0.25	
Ynysoedd Y Gwylanod, Gwylan Islands	0.05	
Number of SSSI 103, Total area (km²) =	662.03	
7. Saltmarsh sites (terrestrial - no intertidal features - included in 6. above)		
Aber Taf / Taf Estuary (saltmarsh only – no intertidal features)	15.00	
Afon Dyfrdwy / River Dee (saltmarsh only – no intertidal features)	14.91	
Afon Teifi (saltmarsh only – no intertidal features)	7.78	
Afon Tywi (saltmarsh only – no intertidal features)	13.14	
Crymlyn Burrows (saltmarsh only – no intertidal features)	2.35	
Glaslyn (saltmarsh only – no intertidal features)	4.35	
Hook Wood (saltmarsh only – no intertidal features)	0.12	
Morfa Uchaf Dyffryn Conwy (saltmarsh only – no intertidal features)	1.95	
Oxwich Bay (saltmarsh only – no intertidal features)	4.07	
Penard Valley (saltmarsh only – no intertidal features)	0.32	
Tywyn Aberffraw (saltmarsh only – no intertidal features)	3.70	
Number of SSSI exclusively saltmarsh sites = 11, Total area (km²) =	67.69	
8. SSSI with Notified or Qualifying Intertidal Marine Features that are not in SAC or SPA (included in 6. above)		
Afon Dyfrdwy / River Dee (saltmarsh only – no intertidal features)	14.91	
Allt Wen a Traeth Tanybwllch	0.36	
Beddmanarch - Cymyran (saltmarsh and intertidal features)	8.91	
Blackpill, Swansea	4.54	
Bracelet Bay	0.06	
Caswell Bay	0.63	
Coedydd Afon Menai	0.23	
Craigyfulfran & Clarach	0.25	
Creigiau Aberarth-Morfa	0.20	
Creigiau Cwm-Ceriw a Ffos-Las (Morfa Bychan)	0.32	
Creigiau Pen y graig	0.23	
Crymlyn Burrows (saltmarsh only – no intertidal features)	2.35	
East Aberthaw Coast	0.68	
Glannau Rhoscolyn (saltmarsh and intertidal features)	1.45	
Glannau Ynys Gybi: Holy Island Coast	4.01	
Glaslyn (saltmarsh only – no intertidal features)	4.35	
Gwydir Bay	0.55	
Hook Wood (saltmarsh only – no intertidal features)	0.12	
Monknash Coast	1.29	
Morfa Uchaf Dyffryn Conwy (saltmarsh only – no intertidal features)	1.95	
Newport Cliffs	0.48	
Penard Valley (saltmarsh only – no intertidal features)	0.32	
Mynydd Penarfynnydd	1.61	
Rhosneigr Reefs	0.28	
Southerndown Coast	1.53	
St. Margaret's Island	0.11	
Strumble Head - Llechedafad Cliffs	2.05	
Traeth Llanon	0.27	

8. SSSI with Notified or Qualifying Intertidal Marine Features that are not in SAC or SPA (included in 6. above)	Welsh waters covered (Cartesian Area (km ²))	English and Welsh waters covered (Cartesian Area (km ²))
Traeth Lligwy	0.27	
Ty Croes	0.28	
Number of SSSI not in SAC or SPA = 28, Total area (km²) =	54.57	

Annex 2: Map of Marine Protected Areas in Welsh waters



Annex 3. Derivation of summary statistics

The suite of EMS encompasses 125 SACs, SPAs and Ramsar sites with marine components and SSSIs with marine or intertidal features. Saltmarsh as a feature of SSSI has led to the inclusion of eleven SSSI sites within the suite of MPAs that would otherwise be classified as terrestrial. Saltmarsh sites are noted in Annex 1, List 7.

Calculations of summary statistics do not include areas of SACs, SPAs, Ramsar or SSSIs that extend shoreward above Mean High Water. Where designated sites overlap, only non-overlapping portions of SPAs and SSSIs that lie outside of SACs have been used in calculations to avoid double-counting.

Welsh waters, for the purpose of this report, have included both the intertidal region: Mean High Water to Mean Low Water, and the Welsh territorial sea region below Mean Low Water out to 12 nautical mile boundary. For consistency, Cartesian areas (calculated using MapInfo GIS), as shown in Annex 1, rather than registered areas of sites have been used to produce summary statistics. Registered areas and other site information can be obtained from: [Weblink to CCW Designated Site Search](#)

Environment and Sustainability Committee

Meeting Venue: **Committee Room 1 – Senedd**

Meeting date: **Thursday, 4 October 2012**

Meeting time: **10:30 – 13:55**

This meeting can be viewed on Senedd TV at:

http://www.senedd.tv/archiveplayer.jsf?v=en_200000_04_10_2012&t=0&l=en

http://www.senedd.tv/archiveplayer.jsf?v=en_200002_04_10_2012&t=0&l=en

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Concise Minutes:

Assembly Members:

Dafydd Elis-Thomas (Chair)
Mick Antoniw
Russell George
Vaughan Gething
Llyr Huws Gruffydd
William Powell
David Rees

Witnesses:

Sibylle Grohs, DG Environment, European Commission
Dr Peter Jones, University College London
Astrid Schomaker, DG Environment, European Commission
Professor Lynda Warren

Committee Staff:

Alun Davidson (Clerk)
Catherine Hunt (Deputy Clerk)
Nia Seaton (Researcher)

1. Introductions, apologies and substitutions

- 1.1 Apologies were received from Keith Davies, Julie James and Antoinette Sandbach. There were no substitutions.
- 1.2 The Committee extended its best wishes to Keith Davies and Antoinette Sandbach.

2. Inquiry into marine policy in Wales – Scene setting

- 2.1 Dr Peter Jones and Professor Lynda Warren responded to questions from members of the Committee on marine policy in Wales.

3. Papers to note

3.1 The Committee noted the papers.

3.2 The Committee agreed to write to the Minister for Environment and Sustainable Development to voice its support for the Green Investment Bank.

4. Motion under Standing Order 17.42(vi) to exclude the public from the meeting for item 6

4.1 The Committee agreed the Motion.

5. Inquiry into Glastir – Consideration of draft report

5.1 The Committee discussed the draft report.

5.2 The Committee adjourned between 12:00 and 13:05.

6. Inquiry into marine policy in Wales – Evidence from DG Environment, European Commission

6.2 Astrid Schomaker and Sibylle Grohs responded to questions from members of the Committee on marine policy in Wales.

7. Motion under Standing Order 17.42(vi) to exclude the public from the Committee meeting on 10 October

7.2 The Committee agreed the Motion.

TRANSCRIPT

View the [meeting transcript](#).

Environment and Sustainability Committee

Meeting Venue: **Committee Room 3 – Senedd**

Meeting date: **Thursday, 18 October 2012**

Meeting time: **09:30 – 14:00**

This meeting can be viewed on Senedd TV at:

http://www.senedd.tv/archiveplayer.jsf?v=en_400000_18_10_2012&t=0&l=en

http://www.senedd.tv/archiveplayer.jsf?v=en_400002_18_10_2012&t=0&l=en

Cynulliad
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Cymru

National
Assembly for
Wales



Concise Minutes:

Budget scrutiny

Assembly Members:

Dafydd Elis-Thomas (Chair)

Mick Antoniw

Mark Drakeford

Russell George

Vaughan Gething

Llyr Huws Gruffydd

William Powell

David Rees

Antoinette Sandbach

Witnesses:

Alun Davies, Deputy Minister for Agriculture, Food, Fisheries and European Programmes

John Griffiths, Minister for Environment and Sustainable Development

Christianne Glossop, Chief Veterinary Officer

Rob Hunter, Welsh Government

Matthew Quinn, Welsh Government

Andrew Slade, Welsh Government

Gill Bell, Marine Conservation Society

Dan Crook, WWF Cymru

Gareth Cunningham, RSPB Cymru

Beth Henshall, Wildlife Trusts

Committee Staff:

Alun Davidson (Clerk)

Catherine Hunt (Deputy Clerk)

Nia Seaton (Researcher)

1. Introductions, apologies and substitutions

1.1 Apologies were received from Keith Davies and Julie James for the whole meeting and from William Powell and David Rees for the afternoon session. Ken Skates attended as a substitute for Keith Davies and Mark Drakeford for David Rees.

2. Welsh Government Draft Budget 2013–2014 – Scrutiny of the Deputy Minister for Agriculture, Food, Fisheries and European Programmes

2.1 The Deputy Minister for Agriculture, Food, Fisheries and European Programmes and officials responded to questions from members of the Committee.

2.2 The Deputy Minister agreed to provide a breakdown of the enforcement Action in relation to the proportion of the budget spend on prosecution.

3. Welsh Government Draft Budget 2013–2014 – Scrutiny of the Minister for Environment and Sustainable Development

3.1 The Minister for Environment and Sustainable Development and officials responded to questions from members of the Committee.

3.2 The Minister agreed to provide the ‘green book’ figure for legacy issues related to IT systems of the new single environment body.

4. Motion under Standing Order 17.42(vi) to exclude the public from the meeting for item 5

4.1 The Committee agreed the Motion to exclude the public from the meeting for item 5.

5. Welsh Government Draft Budget 2013–2014 – Consideration of evidence

5.1 The Committee considered the evidence it had received and the issues it wished to raise in its report to the Finance Committee.

5.2 The Committee adjourned between 12.00 and 13.00.

6. Inquiry into Marine policy in Wales – Oral evidence from Wales Environment Link

6.1 The Committee agreed that it would undertake a short inquiry into the implications for Wales of the consultation by the UK Government on the future of the Agricultural Wages Board.

6.2 The witnesses responded to questions from members of the Committee on marine policy in Wales.

6.3 Dan Crook agreed to share with the Committee the report of the study commissioned by WWF on the co-location of marine conservation zones with renewable energy developments.

7. Motion under Standing Order 17.42(vi) to exclude the public from the meeting on 24 October

7.1 The Committee agreed the Motion to exclude the public from the meeting on 24 October.

TRANSCRIPT

View the [meeting transcript](#).