

Mark Reckless AM
Chair of the Climate Change, Environment and Rural
Affairs Committee,
National Assembly for Wales,
Cardiff Bay,
Cardiff
CF99 1NA

Ffôn/Phone:
03000 65 4444

11 November 2016

Annwyl/Dear Mark,

ADDITIONAL INFORMATION FOLLOWING NATURAL RESOURCES WALES (NRW) ANNUAL SCRUTINY 2016

Following NRW's annual scrutiny session on 2 November, I agreed to provide more information and clarification on certain points.

Scallop Fishery Regulation: roles and responsibilities

The Welsh Government is responsible for regulating the current Welsh scallop fishery, including the issuing of permits to fish.

The Welsh Government has recently decided, after consultation in 2016, to introduce a new flexible management regime for the regulation of the scallop fishery within the Cardigan Bay Special Area of Conservation (SAC) only. This new regime will also be regulated by Welsh Government and it intends to:

- Hold an annual consultation, prior to the fishery opening, seeking views on conditions to be applied and keeping stakeholders involved in developments in the fishery.
- Establish a management advisory board comprising science, industry and relevant environmental groups with the purpose of making recommendations to Welsh Government on the setting of appropriate permit conditions. NRW will have a representative on the committee.

NRW is not involved in the regulation of the scallop fishery.

NRW, as the Welsh Government's statutory nature conservation advisor under The Conservation of Habitats and Species Regulations 2010, advises Welsh Government on the conclusion of its Habitats Regulation Assessment for the annual opening of the scallop fishery.

When Welsh Government introduces a new regime for the management of the Cardigan Bay scallop fishery, NRW will advise them on the conclusions of that assessment.

Geo-tagging

Currently all vessels prosecuting the Welsh scallop fishery must comply with The Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012 wherever they are in Wales. This requires all vessels to have a functioning inshore vessel monitoring system on-board, tracking the position of the vessel in real time. This legislation will equally apply to any vessels permitted under the new management regime to fish for scallops in the Cardigan Bay SAC. It is understood that the Welsh Government is also considering introducing further technology to enhance the inshore vessel monitoring system by recording whether fishing gear is in or out of the water.

Welsh National Marine Plan (WNMP)

The UK Marine and Coastal Access Act (2009) established powers for Welsh Ministers to plan for Welsh seas, with the purpose of contributing to the sustainable development of the marine area. Marine Plans take effect through the requirement on Public Authorities to take authorisation and enforcement decisions in accordance with relevant marine plans. Marine Planning was established in Welsh waters in 2011, when the UK administrations jointly published the UK Marine Policy Statement, which sets a policy context for the development of marine planning across UK waters.

The provision of marine planning powers under the Act was a significant step forward for the integrated management of the marine environment is an important opportunity to ensure the sustainable management of marine natural resources in Wales.

The Welsh Government is responsible for the development of the WNMP. NRW has been working closely to support Government work to produce the first plan. Once in place, NRW will have a key role in supporting the implementation of the marine plan, both through our marine licensing and wider regulatory role, and through our advisory function.

The relationship between the WNMP and the development of Area Statements

Under the Environment (Wales) Act, NRW is required to produce Area Statements for the whole of Wales, which includes the marine environment out to 12nm. The WNMP covers both Welsh inshore waters (from mean high water springs to 12 nautical miles) and offshore waters (beyond 12 nautical miles to the territorial limit). The purpose of Area Statements is to facilitate the implementation of the National Natural Resources Policy (NNRP), but NRW may use Area Statements for any other purpose in the exercise of its functions. It is anticipated that the NNRP will reflect and signpost the WNMP and thus support alignment here.

NRW is currently engaging with stakeholders to develop our thinking on establishing a process for producing Area Statements. This includes considering the most appropriate spatial scale to develop Area Statements right across Wales, including the marine environment. We await the publication of the NNRP in March 2017 before we finalise our approach, in collaboration with key stakeholders, and initiate work to produce the first iteration of Area Statements.

NRW Corporate Plan

There was a slight error Annex 1 of the Briefing paper that we submitted to the Committee. In response to recommendation 1b of the Wales Audit Office report, it should have read 'New deadline agreed with Welsh Government as corporate plan is now scheduled for summer 2017' (as opposed to 'late 2017').

I hope that these additional comments are helpful; we would be happy to answer any further questions.

Yn gywir/Yours sincerely,

A handwritten signature in black ink that reads "Emyr Roberts". The signature is written in a cursive style with a large, stylized 'R'.

Emyr Roberts

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