

Lesley Griffiths AM,  
  
Cabinet Secretary for Environment and Rural Affairs,  
  
Welsh Government

3 October 2017

Dear Lesley

**Turning the Tide: the Climate Change, Environment and Rural Affairs Committee's report on the Welsh Government's approach to Marine Protected Area (MPA) management**

Thank you for your response to the Committee's report, which is attached as an Annexe to this letter. The Committee has agreed that I should write to you to seek further information on several matters you raise in your response.

The Committee is grateful for the way you engaged with it during the course of this inquiry. However, your response has raised a number of issues which need clarification.

During the inquiry many stakeholders recognised that there has been progress in recent years on MPA management. The key issues they raised with Members were:

- the need for the Welsh Government to take a stronger leadership role,
- the need for appropriate levels of resource, both staffing and finances, and
- the need for greater transparency and efficiency in work that is already ongoing.



Unfortunately, your response does not adequately address a number of these concerns or fully address our recommendations. I have set out several questions below, which I hope will enable you to clarify your position.

**Recommendation 1** – The Committee recommends that for Wales to realise the benefits of its MPAs, sites must be managed effectively. The Welsh Government must provide leadership on this matter by developing, as a matter of urgency, an MPA strategy and ensuring that all management authorities, including the Welsh Government, are actively engaged in MPA management and fulfilling their duties and responsibilities.

**Welsh Government response – Accepted.**

As you will be aware, during our inquiry we heard criticism from stakeholders about the lack of leadership from Welsh Government. Despite accepting the recommendation, there is nothing in the response to suggest that the Welsh Government will be doing anything differently as a result of accepting this recommendation. Can you explain how you will address the concerns expressed by stakeholders?

The response does not explain what the Welsh Government will do to ensure that all management authorities, including Welsh Government, are actively engaged in MPA management and fulfilling their duties and responsibilities. Please provide us with details of the actions you intend to take to give effect to this part of the recommendation.

Could you provide the Committee with a copy of the MPA Management Priority Action Plan, to which you refer in your response, and which will be in use from April 2018? If you are unable to provide a copy, please can you indicate when you expect the plan to be finalised?

**Recommendation 2** – The Committee recommends that MPAs cannot be managed effectively without the appropriate level of resources, including funding and staffing. The Welsh Government must: ensure it has sufficient



staffing to deliver its marine conservation responsibilities; bring forward proposals for funding an area-based approach, with each management area having a dedicated officer; and ensure that Natural Resources Wales has sufficient resources to undertake its responsibilities for MPA management and improvements to the condition of the Wales Natura 2000 Network.

**Welsh Government response – Accepted in principle.**

The Committee notes your comments that all staff in the Marine and Fisheries Division are involved in sustainable marine management to some extent. Can you confirm that you are satisfied that current staffing levels are sufficient to deliver the Welsh Government marine conservation responsibilities?

This recommendation refers to the need to bring forward proposals for funding an area-based approach. What actions are you taking to respond to this? The Committee notes that you support the view of the Steering Group, which concluded it would be more cost-effective and provide better value for money, to focus on specific projects, rather than an area based approach. Can you provide the Committee with the details of any cost and benefit analysis undertaken by the Group of the various potential approaches?

As soon as possible, can you provide the Committee with an update on the Steering Group's assessment of whether more collaboration and sharing of best practice is necessary and, if so, how that will be achieved? Is it intended that this will be addressed in the MPA Management Priority Action Plan?

Your response refers to Natural Resource Wales' (NRW) capacity to deliver its statutory responsibilities within its existing funding allocation. Do you expect NRW to deliver any non-statutory functions in relation to MPAs, such as improvements to the Wales Natura 2000 Network? Are you satisfied that NRW will be able to undertake such work without needing additional funds?

You told the Committee you would raise funding issues directly with NRW in your monthly meetings with them. What are the results of those discussions?



**Recommendation 3** – The Committee recommends that the Welsh Government must increase public awareness of MPAs and improve its engagement with stakeholders and the public. It must also operate in a more transparent and efficient way, publishing information about the activities of the specialist groups it leads and ensuring stakeholders are fully engaged in the development of the MPA strategy.

**Welsh Government response – Accept**

During our inquiry, stakeholders felt strongly that there was a lack of transparency in relation to the meetings of the considerable number of groups involved in this field. Although the Committee is pleased that you have accepted the recommendation, there is no sign in your response that you plan on doing anything differently in future. Given that you have accepted this recommendation, can you explain what actions you will be taking to address stakeholders' concerns?

The recommendation also refers to ensuring that Welsh Government and the considerable number of specialist groups it leads operates in a more efficient way. What work has been undertaken to ensure that the all of the specialist groups are necessary and have clear objectives without unnecessary overlaps in responsibilities?

In terms of wider engagement, you refer to specific actions during 2018 as part of the Year of the Sea campaign. What are your department's plans for wider engagement during 2018 and beyond?

**Recommendation 4** – The Committee recommends that the Welsh Government should develop an enforcement strategy, based on risks, which addresses all pressures on MPAs – including water quality; litter; recreational pressures; fisheries and unregulated marine resource gathering – and should move quickly to implement management measures in MPAs where there are known risks.



**Welsh Government response – Accept in principle**

In your response to this recommendation, you refer to the “National Plan for Managing our Network of MPAs”. Is this the same as the MPA Management Priority Action Plan, to which you refer in your response to Recommendation 1? If it is a different plan, could you explain its purpose, whether it is a Welsh Government plan, and provide the Committee with a copy?

In your response, you state that the Welsh Government already operates a risk-based and intelligence-led approach to marine enforcement. Please can you provide recent examples of successful interventions that have arisen as a result of this risk-based approach?

**Recommendation 5** – The Committee recommends that the availability of data, evidence and research is central to MPA policy development and management. The Welsh Government should establish a Wales marine science partnership to bring together industry, academia and stakeholders. The Welsh Government must also ensure it has in place effective data and research for MPA management, including monitoring and surveillance.

**Welsh Government response – Accept in principle**

The Committee recommended that industry, academia and stakeholders should be involved in the Welsh Government’s approach. Can you confirm to what extent those three groups are involved in the NRW work with the Joint Nature Conservation Committee, as outlined in your response?

What assessment have you made of the potential for the establishment of a Wales marine science partnership, bringing together industry, academia and stakeholders?

What actions are you taking to ensure you are satisfied that relevant bodies and organisations will have sufficient resources to interpret the data that is being



collected? Please can you set out how you will ensure that marine science monitoring and research is coordinated and focuses on your priority areas?

**Recommendation 6** – The Committee recommends that when designating MPAs in the future, the Welsh Government should set out the resources necessary for the associated management, monitoring, surveillance and enforcement that site(s) will require and how such resources will be provided.

**Welsh Government response – Accept**

The Committee welcomes your response to this recommendation. However, the response does not address the final point of the recommendation, which asked the Welsh Government to specify how resources for the management, monitoring, surveillance and enforcement will be provided. Can you inform the Committee of the actions you will be taking to give effect to this part of the recommendation?

**Recommendation 7** – The Committee recommends that the Welsh Government should define its understanding of an Ecologically Coherent Network of MPAs in Welsh waters and work with stakeholders to address gaps in the network.

**Welsh Government response – Accept**

In your response you refer to your written statement of 2 May 2017, in which you stated: “I have asked my officials to work in partnership with our marine stakeholders to consider and recommend the necessary action to address the gaps identified. I have requested this work considers gaps identified in the Welsh offshore region also, which will become the responsibility of Welsh Ministers in April 2018.”

Given the tight deadline for this work we would be grateful for an update on progress as soon as possible.



**Recommendation 8** – The Committee recommends that a cornerstone of MPA management is recourse and access to justice. The Welsh Government must ensure that future arrangements in are in line with the Aarhus Convention and not prohibitively expensive for applicants.

**Welsh Government response – Accept**

The Committee would be grateful if you could keep us updated of progress in this area.

**Recommendation 9** – The Committee recommends that the Welsh Government must assess the likely impact of exiting the European Union on Welsh MPAs, including whether designation and management can be harmonised, and commit to no loss of protection under future arrangements. It must also seek agreement with the UK Government about how marine environmental protections will be managed coherently in cross-border marine areas.

**Welsh Government response – Accept**

Given that you have accepted this recommendation, we would be grateful if you could provide the Committee with details of the assessments you have made of the impact of exiting the EU on Welsh MPAs.

Could you also provide the Committee with details of any early consideration that has taken place of policy changes as a result of exiting the EU, including the potential harmonisation of designation and management?

Can you update the Committee with details of work that is being undertaken or discussions that are ongoing in relation to the management of cross-border marine areas?



**Recommendation 10** – The Committee recommends that the Welsh Government should ensure that reporting of Welsh MPA site condition and status currently required under European legislation is undertaken regularly after the UK exits the European Union, with reports published and provided to management authorities in a timely manner.

**Welsh Government response – Accept in principle**

In your response, you refer to a project to assess how NRW can produce site condition reports on a more regular basis. Can you give an indication as to when that project will conclude and could you share with the Committee the conclusions of that project in due course?

**Recommendation 11** – The Committee recommends that the Welsh Government should work with the UK Government to ensure Wales' fisheries resources and the interests of the Welsh fleet are fully protected in Brexit negotiations. Future Welsh fisheries management arrangements should take into account the Wales National Marine Plan and a Welsh MPA strategy.

**Welsh Government response – Accept**

Your response says that you will continue to work with the other Devolved Administrations and the UK Government to secure the future of the Welsh fishing industry. Please can you update the Committee on progress of this work? Could you also provide an update on your input into the UK Government's forthcoming Fisheries Bill?

**Recommendation 12** – The Committee recommends that the Welsh Government must explain how it intends to address the potential shortfall in funding for MPA work that is currently met by EU funds, such as the European Maritime and Fisheries Fund and LIFE–Nature.

**Welsh Government response – Reject**





The Committee notes your explanation for rejecting this recommendation. What assessment have you made of the levels of funding needed to replace funding currently being met by EU funds? Furthermore, what impact will the loss of those funds have on MPA work in Wales?

The Committee has asked the Business Committee to schedule a Plenary debate on the Committee's report on 8 November. I would be grateful if you could respond to this letter by 1 November, so that your response can inform the Plenary debate.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is followed by a long, sweeping horizontal line that extends to the right.

Mike Hedges AM

Chair of the Climate Change, Environment and Rural Affairs Committee

