

Cynulliad Cenedlaethol Cymru | National Assembly for Wales  
Y Pwyllgor Newid Hinsawdd, Amgylchedd a Materion Gwledig | Climate  
Change, Environment and Rural Affairs Committee  
Gwaith dilynol ar reoli Ardaloedd Morol Gwarchoddedig yng Nghymru |  
Follow up work on Marine Protected Area management in Wales  
MPA 04  
Ymateb gan : Sir Benfro Forol Ardal Cadwraeth Arbennig Grŵp Awdurdodau  
Perthnasol  
Evidence from : Pembrokeshire Marine Special Area of Conservation  
Relevant Authorities Group

**Progress made by the Welsh Government in taking forward the recommendations to CCERA's MPA inquiry report "Turning the tide? Report of the inquiry into the Welsh Government's approach to Marine Protected Area management":**

### **Introduction**

The Relevant Authorities Group (RAG) for the Pembrokeshire Marine Special Area of Conservation (SAC) was very pleased to have been given the opportunity to input substantially to the original Marine Protected Area (MPA) inquiry in 2017. The RAG felt that CCERA members conducted a very thorough inquiry and were impressed at the comprehensiveness of understanding shown for the complex issues involved. We were particularly pleased to host a site visit by the Committee to the Pembrokeshire Marine SAC so that members could see at first hand the site's wonderful array of flora and fauna, as well as gaining an appreciation of the local management issues we face.

The final report and recommendations in "*Turning the tide? Report of the inquiry into the Welsh Government's approach to Marine Protected Area management*" summarised well what needed to be done to improve MPA management in Wales. We believe that the report has been very influential and has been the catalyst for significant progress since its publication.

The RAG found it interesting to compare the Committee's report with the report "Marine Protected Areas Revisited" by the House of Commons' Environmental Audit Committee published in April 2017. Many of the issues raised and comments made by the Audit Committee were comparable to the points made in your Committee's report.

The RAG is pleased to see this follow-up to the MPA Inquiry which we hope will help to encourage the Welsh Government and NRW to maintain and build on the recent momentum.

Please note that this response is the view of the majority of the RAG collectively and not necessarily the view of the individual member organisations. Some members may be making their own corporate response.

On that basis, the RAG's responses to the Committee's questions are as follows:

### **Question 1: What progress has been made by the Welsh Government against the recommendations in the Committee's report?**

Undoubtedly Welsh Government has made much progress with *recommendation 1*, having coordinated and delivered the MPA Network Management 2018-2023 Framework and 2018-2019 Action Plan. The RAG welcomes the framework document and action plan. Much work has been done by the Wales MPA Management Steering Group (MSG), NRW in particular, on determining which actions are likely to have the biggest strategic impact and on prioritising those actions.

*Recommendation 2* put forward that Welsh Government must bring forward proposals for funding an area-based approach, with each management area having a dedicated officer. As a RAG with responsibility for managing one of these areas, this recommendation is of great interest. There does not seem to have been progress on this front since the publication of the Committee's report.

When this was originally discussed at the MPA MSG in 2015/16, the Group concluded that a 7 management-area approach was the preferred option. However, NRW and Welsh Government were of the opinion at the time that they could not fund the proposed MPA network and so further discussion on area-based funding was shelved.

From the MPA MSG minutes, 27<sup>th</sup> January 2016: "It was noted that a full time post at each of the current seven areas was the preferred option; however, a part-time post would be more practical and affordable. Group members expressed concerns over the enlargement of areas. It was suggested that when locality was lost, local authorities were less likely to support the areas."

The RAG continues to have reservations about the assumptions that underpinned the conclusion that the 7 management area approach was unaffordable. For example, it was proposed that NRW only put in the same amount towards MPA management across the whole of Wales as a single local authority or port. In the RAG's view, the Welsh Government and/or NRW should provide the lion's share of the funding, with others with an interest making contributions commensurate with their involvement. The RAG would like to see this recommendation readdressed by the MPA MSG.

*Recommendation 3* called for an increase in public awareness of MPAs and improving Welsh Government's engagement with stakeholders and the public, ensuring stakeholders are fully engaged in the development of the MPA strategy. Visit Wales' Year of the Sea provided a good platform and opportunity to do this in 2018 and increased public concern about the impact of plastics on the sea has also raised the profile of some marine conservation issues. We recognise that other work priorities (notably Brexit) impeded the ability to really progress this recommendation.

Understanding of MPAs, their purpose and benefits, still appears low amongst the general public. For example, even supportive and engaged stakeholders mistakenly assume that the Skomer Marine Conservation Zone (MCZ) (the only MCZ in Wales and a Marine Nature Reserve since 1991) is a 'no-take' zone where marine wildlife is given maximum protection. This confusion over marine conservation designations extends to Special Areas of Conservation and Special Protection Areas and seems widespread amongst the coastal communities and visitors to Pembrokeshire.

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The RAG is involved in trying to raise the profile of the designations, e.g. through our work with local school children and the outdoor sector, and through siting buoys restricting moorings near protected features in the Haven, but we would like the opportunity to do much more.

*Recommendation 4* was about risk-based enforcement. Since the inquiry, Welsh Government has spent £5.8m on two new fisheries enforcement vessels to effectively protect from illegal fishing activity in Welsh waters and safeguard Wales' fishing industry. We hope that the vessels' role will include ensuring that fishing activities in the MPAs are compatible with the sites' designations.

*Recommendation 5* stated that Welsh Government must ensure it has in place effective data and research for MPA management, including monitoring and surveillance and recommended the establishment of a Wales marine science partnership. The RAG wish to highlight the existence and success of the Milford Haven Waterway Environmental Surveillance Group; this model has benefitted understanding of the local environment and helped inform marine conservation for >25 years. We also wish to highlight the pioneering work at the Skomer MCZ where the NRW team stationed there are able to gain insights into marine ecological functioning, without which understanding of the impacts of human activity in the marine environment founders. This work informs wider marine management.

*Recommendation 10* considered reporting of Welsh MPA site condition and status. NRW, following the last reporting round, produced indicative Site Condition Reports in 2018, but with the next reporting round due this year, the RAG is mindful of the need for regular future reporting that is detailed enough to adequately inform site management; enable timely identification of pressures on the sites; as well as providing evidence to justify investment in improvements. We know that NRW is well aware of the importance of reporting to site management and understand that they are trying to progress this work.

This response will not go into detail with regards to the other recommendations. The RAG considers that the recommendations above are the most relevant to our work.

## **Question 2: Has the management of Welsh seas received sufficient resource and strategic direction?**

The RAG feel that the resource provided to MPA management in Wales to date has not been sufficient to meet the tasks required for improvement.

We understand that the Welsh Government's Marine & Fisheries Department did receive more funding (around £500k we believe) in 2018 and we hope that this should be maintained in 2019. This extra funding has gone into strategic MPA work and the actions identified in the MPA MSG's 2018-2019 Action Plan: this work is essential, and so the extra funding is very welcome. However, the RAG still feel that MPA management in Wales would benefit from a two-tiered approach where more strategic actions (often regarded as "top-down") from the MSG/Welsh Government/NRW are aided by locally delivered actions ("bottom-up"). These "bottom-up" actions can be specific to sites (e.g. the visitor buoys in the Haven); or can involve piloting new approaches to assess their value or wider relevance (e.g. trialling measures to limit the impact of bait digging); or form part of a cross-site or pan-Wales initiative (e.g. developing educational packages).

It is generally recognised that management is successful only where it is supported by local goodwill and is relevant to local circumstances. RAGs, who deliver local management, would be able to achieve far more if they were better resourced. As it is, the Pembrokeshire Marine SAC RAG have been fortunate to date in being able to collectively fund a part-time SAC Officer who investigates available grants to pursue SAC-related management implementation.

In the marine environment, a multi-sectoral approach is needed to deliver successful management implementation. It follows that the costs for MPA management should also be shared. This goes back to the argument that funding contributions should perhaps be proportionate to management authority jurisdiction and associated powers. Welsh Government and NRW have very wide and substantial spatial (national across ALL MPAs) jurisdiction, as well as having the lead conservation and activity management responsibilities. They also have the relevant regulatory powers and functions.

Unless these national management authorities lead by example in terms of their financial investment in the RAGs it is unreasonable to expect other authorities with more limited geographical interest or fewer management responsibilities and powers to contribute the same financial amount, far less to collectively shoulder the major burden of MPA costs.

These national management authorities used to lead by example in terms of their financial investment in the RAGs, but in recent years this has diminished or, for some RAGs, stopped altogether. During the MSG discussions in 2015/2016, European Marine Site (EMS) officers also justified the proposal that NRW pay the 'lion's share' to RAGs to aid national and cross-site collaboration by suggesting that perhaps individual EMS officers could, in addition to their site duties, undertake national work packages for individual topic areas whilst working alongside relevant staff in NRW and Welsh Government. Such work could encompass marine education/awareness, marine litter, water quality and pollution, non-natives etc. as appropriate.

A recent missed opportunity was the Enabling Natural Resources and Well-Being in Wales (ENRaW) grant scheme from Welsh Government. This specifically excluded marine work; we understand that it was wrongly assumed that marine work was 'covered' by the European Maritime and Fisheries Fund (EMFF). As a result of this exclusion some excellent land-sea joint working proposals did not go forward that would have given current nature partnership and RAG staff the opportunity to better collaborate and deliver biodiversity benefits across the environment as a whole.

ENRaW is being used as a replacement to Single Revenue Grant funding, but in reality it does not enable the same support. In Pembrokeshire this has resulted in a significant reduction in the funding available to the RAG from the local authority.

The RAG is aware that the Wales Council for Voluntary Action (WCVA) has recently been successful at gaining ENRaW funding for local nature/biodiversity officers; this is excellent news for terrestrial biodiversity conservation. Whilst exact details are yet to be confirmed, it is understood that the grant will award around £2.8m over the next 3 years to support local nature partnership officers in all 22 local authority areas. There are many similarities between the work of terrestrial nature partnerships and the RAGs in the marine environment (pooling funds to make biodiversity improvements, sharing expertise across different sectors, great stakeholder engagement and

awareness raising). However the biggest difference is that marine biodiversity partnerships are not given direct Welsh Government support at a local/regional level. Terrestrial biodiversity has traditionally been very much part of the Countryside and Environment Team's agenda, but the focus on marine biodiversity-related work tends to be dominated by fisheries.

Since 2013, the Welsh Fishing Association (WFA) has received close to £1m in funding directly from Welsh Government (a total of £946,715 with another £65,474 this financial year). In 2018-19 alone, Welsh Government provided the WFA with £201,732. The WFA facilitates liaison with stakeholders in the fishing industry and provides advice to Welsh Government and the RAG acknowledges the value of its role. However, we would argue that the RAGs similarly are well placed to liaise with multi-sectoral stakeholders and pass on information and advice to Welsh Government. Marine biodiversity, unlike fishing, is not so easy to 'represent' but industries such as tourism and recreation (as well as fishing) rely heavily on it.

There is a vast practical difference between guaranteed core funding you can rely on, and competitive grant funding you cannot predict with any certainty, and which is not intended to be used for ongoing work. If area-based MPA officers were guaranteed modest but adequate core funding this would aid local site management delivery (enabling stakeholder liaison, data gathering etc.) as well as enabling those officers to chase additional funding to deliver specific projects to improve site condition. Whilst funding for projects is very useful it does not necessarily allow progress with priority actions. Priority actions on sites do not always require a lot of funding resource but they do require staffing resource. Another disadvantage of reliance on "one-off" project work and grant funding is that there is often limited time to share best practice and information. The competitive nature of grants also reduces collaboration and results in silo working and duplication of effort.

Area-based MPA officers can help to deliver management improvements that benefit, not just local sites, but the MPA network as a whole. It would not require a lot of funding to support area-based MPA officers. For example, even a nominal £20,000 per site per year could make a real difference by providing some assured funding going forward. On this basis, a seven area approach would cost £140,000 per year – likely less than the cost of a new layby or access road.

### **Question 3: How has the condition of Wales' MPA's changed?**

According to NRW's indicative site condition reports and our own observations, site features within the Pembrokeshire Marine SAC have generally not shown improvement since site designation. In fact, features (especially habitat features) are likely worse. To take one example, NRW marine monitoring staff recorded a large and rapid decline of live maerl on Wales' only remaining maerl bed in the Milford Haven Waterway; a recent video survey showed that more than 90% of the bed's live maerl had been lost. Because multiple issues are affecting feature condition, and because improvements can take time to manifest, any management efforts need to be planned, supported and evaluated over the long term.

### **Question 4: Does Welsh Government's MPA Network Management 2018-2023 Framework and 2018-2019 Action Plan address the key issues of effective management of multi-use MPAs?**

The action plan addresses many underlying issues and most actions apply to management of activities or uses across the whole MPA network. For this reason many of the actions are for NRW; it is very useful to NRW to be

able to access this additional funding to do good and essential MPA-related work. For example the action plan has supported NRW with its MPA Condition Improvement Project, including the Unlicensed Activities Project. However, most of the strategic actions supported so far are policy related or concerned with processes and data. They are not directly impacting (or immediately improving) feature condition. So although they are worthwhile, they are not resulting in short term direct site management improvements. The one main exception to this would be fisheries management, but that has been overshadowed since Brexit began. The Assessing Welsh Fishing Activities Project has completed the highest priority fisheries assessment work, but management actions as a result have yet to be fully implemented.

The plan does not comprehensively cover delivery of management action. In terms of this 'active' MPA management, NRW focuses on the effective application of planning and regulation (including of plans and projects) to secure the conservation objectives of sites and wider benefits of the network. However, many site features have been in unfavourable condition since the first reporting round to Europe in 2006. Addressing future development and regulation is essential to preventing any additional negative impacts, but it does not do enough to tackle existing issues that have already caused deterioration of sites. The Habitats Regulations are about maintaining and improving sites, undertaking restoration and avoiding deterioration. But feature assessments and 'state of' reports seem to suggest we are simply maintaining impoverished sites rather than trying to make improvements. RAGs, as well as identifying and taking preventative steps to improve local management in the future, also seek proactive management actions to deliver corrective measures where resources allow. Examples include raising awareness and changing behaviour to reduce disturbance and allow species recovery (e.g. sensitive habitat zonation, recreational management) gathering data to inform marine management (e.g. 'SWEPT' a large scale water quality citizen science project gathering data on nutrient pollution, and intertidal legislative and impact reviews) and trialling new approaches to aid marine feature improvements (e.g. the Pembrokeshire Sustainable Shellfish Initiative testing escape hatches and anti-ghost fishing methods).

**Question 5: Does Welsh Government's MPA Network Management 2018-2023 Framework and 2018-2019 Action Plan support the management of Welsh MPAs to conserve Welsh marine biodiversity?**

For the reasons set out in our previous answers, whilst the framework and action plan are a very worthwhile step toward supporting MPA management, more time and practical effort is needed to conserve marine biodiversity.

**Question 6: Does Welsh Government's MPA Network Management 2018-2023 Framework and 2018-2019 Action Plan take account of lessons learned from current MPA management activity in Wales (including designation, implementation and enforcement)?**

Yes, but this could be improved with greater liaison and opportunities to share knowledge and best practice, e.g. A Wales 'Coastal Futures' conference? EMS Officers routinely liaise via their informal Group of European Marine Site (GEMS) network (and UK MPA network), but when funding is necessarily dominated by project delivery and grant deadlines, the ability to proactively share information and generally communicate is unfortunately limited. This negatively impacts upon engagement with Welsh Government and national work.

Designation of itself does little or nothing to improve conservation: it is practical measures to improve site and feature condition that are key.

**Question 7: Does Welsh Government's MPA Network Management 2018-2023 Framework and 2018-2019 Action Plan take account of the implications of the UK's decision to leave the European Union?**

No, but that is perhaps unavoidable given the continuing uncertainties surrounding the final arrangements for the UK's withdrawal.

We are aware that regulations have already been made to ensure that statutory site designations remain in place after Brexit. Amongst other things, the regulations mean that Wales' current marine Special Protection Areas and Special Areas of Conservation will form part of a national network of sites rather than the pan-European Natura 2000 network. The RAG welcomes the Welsh Government's commitment to ensuring that there is no drop in environmental standards post Brexit, and we hope that this will include meaningful action to protect the network of conservation sites that surround most of the Welsh coastline.

Management of MPAs could be seen to be analogous to addressing climate change. Fundamentally, with both, changes in the regulatory regime are needed to make big strategic improvements that will take time to have an effect. But a behavioural change is needed across sectors and communities and this will only happen through targeted delivery and awareness raising. A combination of a top-down (regulation/policy) and bottom-up (community engagement, individual responsibility, local action) approach is needed.

Best regards,

Sara Morris, Pembrokeshire Marine SAC RAG Chair