

National Assembly for Wales
Environment and Sustainability Committee

Inquiry into marine policy in Wales

January 2013



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

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Wales

Environment and Sustainability Committee

The Committee was established on 22 June 2011 with a remit to examine legislation and hold the Welsh Government to account by scrutinising expenditure, administration and policy matters encompassing: the maintenance, development and planning of Wales's natural environment and energy resources.

Current Committee membership



Dafydd Elis-Thomas (Chair)

Plaid Cymru
Dwyfor Meirionnydd



Mick Antoniw

Welsh Labour
Pontypridd



Keith Davies

Welsh Labour
Llanelli



Russell George

Welsh Conservatives
Montgomeryshire



Vaughan Gething

Welsh Labour
Cardiff South and Penarth



Llyr Huws Gruffydd

Plaid Cymru
North Wales



Julie James

Welsh Labour
Swansea West



William Powell

Welsh Liberal Democrats
Mid and West Wales



David Rees

Welsh Labour
Aberavon



Antoinette Sandbach

Welsh Conservatives
North Wales

The following Member attended as a substitute during this inquiry:



Ken Skates

Welsh Labour
Clwyd South

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The Committee's Recommendations

The Committee's recommendations to the Welsh Government are listed below, in the order that they appear in this Report. Please refer to the relevant pages of the report to see the supporting evidence and conclusions:

Recommendation 1. We recommend that the Welsh Government affords a higher priority to marine policy in Wales. (Page 18)

Recommendation 2. By April 2013, we recommend that the Welsh Government publishes an action plan that sets out its priorities for delivering its marine environment duties. This strategy should include an action plan for delivering each duty. We would expect this to include details of the:

- expected outcomes;
- specific actions required to achieve the outcomes expected;
- timescale for delivery, including key milestones;
- cost of delivery (including resource considerations); and
- details of where funding will be sourced from. (Page 18)

Recommendation 3. We recommend as part of the process of developing an action plan, resources are carefully considered. The Welsh Government should make use of external expertise where appropriate, but it should also look at whether it needs to better resource itself to deliver on the challenging statutory obligations it faces. (Page 19)

Recommendation 4. The Welsh Government should review its ICZM strategy as soon as possible, but no later than by April 2014 and ensure that it is considered in the development of marine spatial plans. (Page 30)

Recommendation 5. The Welsh Government should work with partners to identify the existing data sources available to underpin marine planning in Wales. Where opportunities exist, it should work in partnership with industry, university research centres and the Third Sector to coordinate data collection efforts. We expect the pathway to achieving this to be set out in response to 'Recommendation 2' above. (Page 30)

Recommendation 6. In preparing marine plans for 2015 the Welsh Government ensures that it is ready to take forward a joint-planning approach in cross-border areas and that it works with the Marine Management Organisation so that it is not deterred from designating a cross-border region with Wales as its next plan area. In order to ensure it is in a position to do this the Welsh Government should seek to have a concordat or Memorandum of Understanding in place with the MMO as soon as possible and no later than December 2014. (Page 30)

Recommendation 7. By the end of March 2013, the Welsh Government should complete its work on the extension of existing Special Protected Areas. We expect to see details of how this is to be delivered in its response to Recommendation 2 above. (Page 40)

Recommendation 8. We recommend that the Welsh Government issues a statement outlining how it intends to take forward the recommendations made by CCW in its review of the management of MPAs. It has been considering CCW's review since July 2012 and we expect it to respond within the lifetime of the CCW. (Page 41)

Recommendation 9. We recommend that the Welsh Government should commence Part V of the Marine and Coastal Access Act 2009. We expect it to set out a date for commencement after it has considered the findings of the task and finish group in April. (Page 42)

Recommendation 10. By the 31 December 2013, the Welsh Government should voluntarily lay before the Assembly a report that meets the requirement of section 124 of the Marine and Coastal Access Act 2009. This report should include an appraisal of the environmental status, governance and enforcement of existing marine protected areas. (Page 42)

Recommendation 11.

(a) The Welsh Government should engage with the offshore Marine Conservation Zone designation process and facilitate the co-ordination of Welsh stakeholder input to these processes.

(b) When the Secretary of State consults the Welsh Ministers on the proposed creation of a Marine Conservation Zone in Welsh offshore waters, the Welsh Government should inform us in writing of this and set out the steps it intends to take to ensure the UK Government considers Welsh interests (Page 44)

Recommendation 12. The Welsh Government ensures that the expertise and experience of the Marine Consents Unit is preserved and built upon and that there is no diminution of service during its transition to Natural Resources Wales. (Page 47)

Recommendation 13. The Welsh Government works with Natural Resources Wales to ensure that it develops suitable online provision for a public register for marine licencing. (Page 47)

1. About this report

Purpose

1. This report sets out the conclusions that the Environment and Sustainability Committee has drawn from the evidence that it received during the course of its inquiry into marine policy in Wales.

Format

2. The report is split into key themes. Underneath the title of each theme, you will see a sentence summarising the Committee's headline conclusion. Each theme is structured to provide the reader with:

- a summary of the evidence received from stakeholders;
- the Committee's understanding of the Welsh Government's position;
- the Committee's view; and
- any recommendations that the Committee might wish to make.

Audience

3. This report is made to the National Assembly for Wales and it sets out recommendations made to the Welsh Government.

4. It aims to be easily understood by anyone with an interest in marine policy in Wales.

5. Consequently, it assumes a basic knowledge of key policies and legislation that relate to this area.

6. Background information can be found from a variety of sources, some of which are highlighted below.

Further information

7. This report does not recount all of the evidence received by the Committee. This is available in full from the National Assembly for Wales website and a list of the evidence received is annexed to this report.

8. As this report does not attempt to explain marine policy in Wales to the lay reader, the sources below may be of use to those seeking background information.

9. **The National Assembly for Wales's Research Service** has produced a range of useful papers that explain aspects of marine policy. These are available from the National Assembly for Wales website.

10. Details of the **Welsh Government's policies** are available from its website.

11. A number of **non-governmental organisations** provide useful information from their respective positions. Whilst direct links to these organisations are not listed in this report, the websites of organisations that have given evidence to this inquiry may provide further information.

What happens next?

12. Approximately six weeks after the publication of this report, the Welsh Government will issue a response that will outline whether or not it accepts the recommendations made by the Committee.

13. This report, and the Welsh Government's response, will then be debated in plenary.

14. The Committee will monitor progress against the recommendations it has made and it will follow them up with the Welsh Government and/or others as and when it believes this to be necessary.

2. Introduction

15. Management of the marine environment is becoming increasingly important as the pressures on services are growing. Welsh seas offer enormous potential for the production of clean renewable energy, as well as a sustainable source of food, but these opportunities must be carefully managed and balanced if the Welsh Government's aspirations for '*healthy and functioning ecosystems that are biologically diverse*' are to be met.¹

16. Around sixty per cent of the Welsh population lives on the coast, the marine and coastal environment contributes £2.5 billion in GDP to the Welsh economy and it supports 92,600 jobs.² The marine waters surrounding Wales are also rich in biodiversity and have important cultural value for many Welsh communities.

17. Welsh inshore waters cover 16 thousand KM² an area almost double the size of Wales, of which 5.6 thousand KM² are under designation across 125 marine protected areas. This equates to 35 per cent of Welsh waters.³ The introduction in 2009 of the *Marine and Coastal Access Act* ('the Marine Act') provided a renewed impetus for the development of a coherent marine policy for Wales.⁴ It placed upon the Welsh Government for the first time a number of legal duties in respect to its marine waters. The Welsh Government has signed up to a UK Marine Policy Statement⁵ and it has begun some initial work on marine spatial planning, the creation marine conservation zones within 12 nautical miles of its coast.

18. The Welsh Government is responsible for the implementation and enforcement of European Directives within Welsh waters and in particular for the protection and management of Marine Protected Areas, for the quality of its marine waters and for the implementation of fisheries policy and legislation.

19. In July 2012, we launched an inquiry into marine policy in Wales. We agreed to:

¹ [Welsh Government, The Environment Strategy for Wales, 2009](#)

² [Welsh Government, Protecting Welsh Seas - A draft strategy for marine protected areas in Wales, 2009](#)

³ Ibid

⁴ [The Marine and Coastal Access Act 2009 c.23](#)

⁵ [HM Government, UK Marine Policy Statement, March 2011](#)

- assess progress made by the Welsh Government in relation to implementation of the Marine Act 2009 with particular regard to the marine conservation and the marine spatial planning powers of the Act;
- assess progress made by the Welsh Government towards the achievement of its European obligations in this field with particular regard to the Marine Strategy Framework Directive, the Birds Directive, the Habitats Directive, the Bathing Water Quality Directive and the Water Framework Directive.

20. We considered:

- what progress has been made in relation to the development of marine spatial plans for Wales?
- 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 development of the Welsh Government's functions in relation to marine licensing and fisheries and whether this has been effective?
- what progress has been made by the Welsh Government in the implementation of key European Directives?
- 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 resource 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?

21. During the course of the following five months, we received 19 written submissions and we took oral evidence from 15 organisations,

the European Commission, academic experts and the Minister for Environment and Sustainable Development.⁶

⁶ The evidence received can be accessed at:
<http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=4412>

3. Priority and resource

The marine environment in Wales has not been sufficiently prioritised by the Welsh Government. A shift in priority and resource from the terrestrial to the marine will need to be considered if the Welsh Government’s policy ambitions are to be met.

Stakeholder views

Priority

22. The majority of stakeholders that contributed to the inquiry expressed concern about the level of priority afforded to marine policy in Wales.

23. The absence of references to marine policy in consultations associated with key Welsh Government strategies for managing natural resources in Wales, such as Sustaining a Living Wales and the creation of Natural Resources Wales, have emphasised this lack of priority.

24. The Wales Environment Link and its constituent members, Pembrokeshire Coastal Forum, the Severn Estuary Partnership and the British Marine Aggregate Producers Association have all expressed these concerns in both written and oral evidence to the Committee.

25. Mr Mark Russell, Director of Marine Aggregates at the British Marine Aggregate Producers Association, described this as the ‘and marine’ mentality, with the marine environment being a second or third tier consideration in the development of environmental policy. He elaborated his view that this lack of prioritisation stems from an over simplification of the marine environment by policy makers.⁷

26. Pembrokeshire Coastal Forum, who raised the lack of recognition of the marine environment with us, supported this view. Ms Tonia Forsyth, representing Pembrokeshire Coastal Forum, explained:

“The difficulty is that the marine environment is often viewed as a sector, like a terrestrial sector such as forestry, and it is a

⁷ [RoP 8 November 2012 c.108](#)

lot more complex than that. It is a poorly understood environment.”⁸

27. This view was supported by Professor Linda Warren in her oral evidence to the Committee and the Wales Environment Link also suggests that the lack of prioritisation is a consequence of the marine environment’s complexity:

“One of the biggest challenges with the marine environment is its complexity, and a number of uncertainties remain. We know a lot less about our marine environment than our terrestrial environment. Even undertaking data collection is time-consuming, involves a lot more logistical challenges, and is more expensive.”⁹

Resource

28. There is a consensus across the written evidence we received that the capacity of the Welsh Government in relation to all aspects of marine policy needs to be improved.

29. The Welsh Government’s marine staff are held in high regard by stakeholders, but most stakeholders do not believe that the Welsh Government is adequately resourced to deliver the duties required of it by statute.

30. Comparisons with England and Scotland were made to emphasise the low level of resourcing in Wales. In relation to marine spatial planning, Pembrokeshire Coastal Forum and BMAPA told us that 20 people are allocated to the development of marine spatial plans in Eastern England. In comparison, there is one person responsible for the development of marine spatial plans in Wales and they have recently been re-tasked to work on the Marine Conservation Zones consultation.

31. Having said this, stakeholders did accept that the current economic climate means the Government’s resources are scarce but they argued that a clearer identification of priorities by the Welsh Government would enable the limited resources available to be used more efficiently. Mr Mark Russell, representing BMAPA, told the Committee:

⁸ [RoP 8 November 2012 c.7](#)

⁹ [RoP 18 October 2012 c.257](#)

“It depends what you want to achieve, and, certainly in these straightened times, there is a difference between what you aspire to do and what you need to do. I suspect it requires decisions to be taken as to what the genuine priorities are and then to reflect on the level of resources that are required to deliver them. Part of the problem at the moment with the resourcing and delivery environment in the Welsh Government for marine issues is that there are a multitude of policy and delivery issues that have to be delivered. They are all trying to be delivered simultaneously and that means that all of them get so far, but you do not end up doing any of them well. I suspect that there would be more to be gained by dealing with fewer issues, and by tackling the priority issues and making sure that they are done properly and well, rather than spreading yourself so thinly that you are making a token effort to make progress across all fronts, but are not actually making any meaningful progress.”¹⁰

32. Dr Mary Lewis, representing CCW echoed this view:

“Obviously, there is a resource issue, but, more broadly and perhaps as important is the prioritisation of existing resource and looking carefully at the marine governance legislative and policy framework that we have ready to use and thinking carefully about which are the most important aspects to be focusing on and delivering. If considerable additional resources are not forthcoming or are not available, then what do we do first? You have heard it said a lot—and we share the view—that, if we can get the right marine planning framework in place, then that automatically prioritises some of the other areas of marine management, conservation, delivery et cetera. On a practical front, we have been considering how we can make more effective and efficient use of existing resources rather than just wanting more resources.”

The Welsh Government’s position

33. The Minister for Environment and Sustainable Development (‘the Minister’) told us that the Welsh Government is ‘moving increasingly

¹⁰ [RoP 8 November 2012 c.85](#)

towards a stronger focus on our seas and water resource' and that 'a lot of work has yet to be done'.¹¹

34. Whilst the Welsh Government's high level vision was set out in the 2009 Our Seas – a Shared Resource – UK High Level Marine Objectives,¹² the Welsh Government has yet to set out its detailed priorities and plans for the marine environment in Wales.

35. The Minister told us that there remains 'a considerable amount of work to be done'.¹³

36. In his paper to us, the Minister states:

"We are currently reviewing the arrangements required to support the marine programme, including resourcing. A key underpinning theme for the review is communication and engagement with stakeholders, especially local coastal communities and including the role of coastal forums, reflecting the ecosystem-based approach."¹⁴

37. During our scrutiny of the Minister's budget, Mr Mathew Quinn, Director for Environment and Sustainable Development told us that £120,000 was available in the 2013-14 Budget to support marine policy.¹⁵ In his response to our letter on the budget the Minister stated that this money will be used to fund on-going work on marine conservation zones, preparatory work on marine planning and the delegation of marine licensing functions from the Welsh Government to Natural Resources Wales.¹⁶

The Committee's view

Priority

38. We accept that the complexity of the marine environment makes the development of marine policy challenging. However, it is clear, from the evidence received, that the marine environment has not been

¹¹ [RoP 28 November 2012 c.91](#)

¹² [HM Government, UK Marine Policy Statement, March 2011](#)

¹³ [RoP 28 November 2012 c.110](#)

¹⁴ [Welsh Government, Paper for the National Assembly of Wales Environment and Sustainability Committee 28 November 2012 : Inquiry into marine policy, 28 November 2012](#)

¹⁵ [RoP 18 November 2012 c.124](#)

¹⁶ Letter from the Minister for Environment and Sustainable Development to the Chair of the Environment and Sustainability Committee, 14 November 2012

afforded sufficient priority by the Welsh Government. The absence of references to the marine environment in Sustaining a living Wales¹⁷ and consultations relating to the establishment of Natural Resources Wales are symptomatic of this. Furthermore, the Welsh Government's overarching environment strategy for Wales contains limited references to the marine environment and the policy map that accompanied this strategy makes no reference to the marine environment.

39. The passing of the Marine Act provided an opportunity to reprioritise marine policy. Three years have passed since then and progress in implementing the Marine Act has been slow. Additionally, key elements of this Act have yet to be commenced by Welsh Ministers. The Welsh Government requested devolved responsibility in this area. It is disappointing to find that, since this responsibility was devolved, the Welsh Government has failed to take sufficient action to deliver on its commitments. As discussed later in the report, in some instances this had led to reputational damage with stakeholders.

40. We are concerned about the level of priority given to the marine environment by the Welsh Government. We are also concerned about the absence of an action plan that sets out the Welsh Government's priorities and delivery plans for the marine environment.

41. The Welsh Government must meet challenging statutory duties that, if not met, could open the Welsh Government to legal challenge and infraction proceedings.

42. In evidence, the Minister acknowledged that '[...] there is a considerable amount of work to be done in terms of our marine areas, setting out policy and strategy [...]'. He committed to producing a statement of principles 'around the spring of next year [2013]'.¹⁸ Whilst we welcome his acknowledgement that work needs to be done, we believe that he needs to go further than setting out a statement of principles.

43. We believe that a clear and coherent action plan with a detailed timetable of when key policies will be complete would demonstrate the Welsh Government's commitment to the marine environment and allow

¹⁷ [Welsh Government, Sustaining a Living Wales, January 2012](#)

¹⁸ [RoP 28 November 2012 c.127](#)

the people of Wales and the Assembly to monitor its progress in delivering its responsibilities.

44. The need for this is pressing, as the demands on our marine environment are increasing. We are approaching a period when we will see a greater utilisation of the ocean for renewable energy, sustainable food and fisheries

Resource

45. We have concerns about the level of resource allocated to the delivery of marine policy in Wales. This may be, in part, a consequence of the marine environment not been sufficiently prioritised.

46. Stakeholders agreed on the good standing of the Welsh Government's staff, but they also agreed that the Welsh Government is under resourced to deliver its existing duties, let alone future demands. We did not receive a clear idea as to what the optimum level of resource should be, but it is clear to us that current levels are insufficient.

47. We expect the Welsh Government to look at resources seriously. We hope that it agrees to take forward the recommendation we make below in terms of developing an action plan. If it does this, then we believe resources should be carefully considered as part of that work. We would urge the Welsh Government to take note of stakeholders views that urgently developing a clear list of priorities for the marine environment would allow for the more efficient use of existing resources. In our view, this may necessitate a shift in priority and resourcing from terrestrial to marine policy.

Recommendation 1: We recommend that the Welsh Government affords a higher priority to marine policy in Wales.

Recommendation 2: By April 2013, we recommend that the Welsh Government publishes an action plan that sets out its priorities for delivering its marine environment duties. This strategy should include an action plan for delivering each duty. We would expect this to include details of the:

- **expected outcomes;**
- **specific actions required to achieve the outcomes expected;**
- **timescale for delivery, including key milestones;**
- **cost of delivery (including resource considerations); and**
- **details of where funding will be sourced from.**

48. A number of our subsequent recommendations relate to Recommendation 2

Recommendation 3: We recommend as part of the process of developing an action plan, resources are carefully considered. The Welsh Government should make use of external expertise where appropriate, but it should also look at whether it needs to better resource itself to deliver on the challenging statutory obligations it faces.

4. Marine spatial planning

Progress in producing marine spatial plans has been slow and the absence of plans is creating uncertainty for stakeholders and delivery partners.

Stakeholder views

Progress

49. All stakeholders support the principle of marine spatial planning enshrined in the Marine Act and the Welsh Government's commitment to develop such plans but express disappointment at the lack of progress that has been made to date. The Wales Environment Link states, on page two of its written evidence:

“WEL drew optimism from initial progress in developing Welsh Government's 'Approach to Marine Planning in Wales' through the consultation launched in February 2011 and stakeholder engagement via the Wales Coastal and Maritime Partnerships' Marine Planning sub-group. However, despite a recommitment to marine planning by the current Minister for Environment and Sustainability, progress since the election in May 2011 has been limited. A summary of responses to the consultation has not been issued, while stakeholder engagement has ceased, resulting in diminished public visibility and a perception of reduced prioritisation of marine spatial planning. Such a strategy shift risks the disenfranchisement and disillusionment of previously enthused and engaged stakeholders.”¹⁹

50. The WWF also argues that the lack of progress in relation to the development of marine plans is concerning due to the number of decisions currently being made about the priority given to different activities within Welsh seas:

“Furthermore, live debates concerning sectoral spatial allocations for marine renewables, fisheries and marine conservation are currently occurring in the absence of an integrated government vision for Welsh seas and a formal government-led framework for facilitating a collective view on the spatial allocation of marine space. WWF believes that every

¹⁹ [Wales Environment Link, Evidence to the Environment and Sustainability Committee inquiry into marine policy in Wales, September 2012](#)

effort should be made to prioritise the development of marine plans in Wales and, as part of this, we call upon on the Environment and Sustainable Development Minister to issue a statement of intent for this policy area to give clarity to stakeholders.”²⁰

51. The Royal Yachting Association (RYA) echoed this concern in its written and oral evidence.

52. A majority of stakeholders, in both their written and oral evidence, supported the work being completed by the Welsh Government’s marine policy team but expressed concerns about the capacity of Welsh Government staff to develop marine spatial plans for Wales. In his oral evidence, Mr Crook for WWF stated that there was only one marine planning officer for Wales while there are 20 in the Marine Management Organisation (MMO) in England and 10 in Marine Scotland.²¹

53. The need to identify priorities for marine planning was emphasised in oral evidence by Mr Parker from the Severn Estuary Partnership, Mr Russell from BMAPA and Mr Tudor from the Crown Estate.

54. The BMAPA in its written evidence stated that given the lack of resources available for marine planning in Wales, the Welsh Government may benefit from ‘holding back’ to learn from the marine planning processes occurring in other places in Wales. However, in his oral evidence he stated that the Welsh Government would need to ensure in doing so that it had put the necessary resources in place to engage with the MMO once it starts planning for cross-border areas.²²

Integrated Coastal Zone Management

55. Professor Linda Warren in her oral evidence, on 4 October, argued that the ‘interface’ between coastal zones and the marine environment was ‘crucial’.²³ Both the Coastal Partnerships and WEL organisations in their written and oral evidence stressed the important linkages between the Integrated Coastal Zone Management (ICZM) and marine

²⁰ [WWF Cymru, Submission to the Environment and Sustainability Committee, September 2012](#)

²¹ [RoP 18 October 2012 c.312](#)

²² [Ibid c.98](#)

²³ [RoP 4 October 2012 c.13](#)

spatial planning. A number of stakeholders expressed support for the Welsh Government's ICZM strategy but stated that it needed reviewing in light of the discussions currently surrounding Marine Spatial Planning. They expressed concern that the review that was due to occur in 2010 has yet to take place. On page two of its evidence Pembrokeshire Coastal Forum states:

“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.”²⁴

56. WWF believes that there needs to be a clear link between marine and terrestrial planning:

“WWF believes that the integration with terrestrial planning policy, development control and other strategies, such as land use plans, non-statutory ICZM plans, River Basin Management Plans and Shoreline Management Plans, represents a considerable challenge to marine planning. The coastal zone is incredibly important for conservation of natural and cultural heritage, along with representing hugely significant environmental, economic and social assets. WWF is a strong advocate of Integrated Coastal Zone Management (ICZM) as a process for bringing together all those involved in the development, management and the use of the coast to help ensure future management takes place in an integrated and informed way.”²⁵

²⁴ [Pembrokeshire Coastal Forum, National Assembly for Wales' Environment and Sustainability Committee Inquiry into Marine Policy in Wales, September 2012](#)

²⁵ [WWF Cymru, Submission to the Environment and Sustainability Committee, September 2012](#)

57. WWF argues that a number of the key objectives of the Integrated Coastal Zone Management Strategy (ICZM) should form the basis of Welsh marine plans. However, WWF expresses concern that there has been ‘scant’ progress to deliver the actions contained within the ICZM strategy for Wales. WWF also makes the point that marine spatial planning should learn lessons from the ICZM process and avoid being a strategy that ‘sits on a shelf’.²⁶

58. The report of the Independent Advisory Group on Planning makes reference to spatial planning in Wales and calls for increased connections between the Wales Spatial Plan, the Wales Infrastructure Investment Plan and the Natural Resources Management Plan being developed under Sustaining a Living Wales. It states that land use planning will be a key delivery mechanism for these plans and spatial planning in Wales but makes no reference to marine or coastal planning.²⁷

Evidence Base

59. A number of stakeholders stressed the importance of having an adequate evidence base to underpin marine planning. Both the BMAPA and the Crown Estate stated that there was a need to better coordinate existing evidence and research programmes. In his oral evidence, Mr Russell from BMAPA stated:

“There is a wide range of public and private interests involved in data acquisition. There are two challenges, I guess, one of which—and it is probably the most important one—is to make the best use of what we already have because there is already a significant investment in marine data, and I am not convinced that we make the best use of everything that we have, both in the public and the private sector. The second element is that, where we are commissioning work, we should think about joining up our thinking so that we are not reinventing the wheel and surveying the same areas two or three times. If we can accomplish the requirements of a number of different interests by undertaking one piece of work, then that is

²⁶ [WWF Cymru, Submission to the Environment and Sustainability Committee, September 2012](#)

²⁷ [Welsh Government Independent Advisory Group on Planning, Towards a Welsh Planning Act: Ensuring the Planning System Delivers, July 2012](#)

obviously far better than commissioning three or four pieces of work.”²⁸

60. In its written evidence, CCW says that it has a large amount of data but uncertainty in relation to the development of marine plans has hindered its ability to properly prepare this data. On page four CCW comments:

“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 Directory. 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.”²⁹

Co-location

61. Dr Peter Jones suggested in his oral evidence, on 4 October 2012, that marine spatial plans could seek to co-locate marine conservation zones with renewable energy projects where suitable. He also stated that there may be a need to designate specific fisheries areas within spatial plans to prevent the industry feeling that it had been marginalised by energy and conservation concerns.³⁰

62. Sarah Horsfall, from Seafish, provided us with the following view from the fishing industry:

We have had that [designating zones for fishing] suggested a number of times following Marine Acts in the UK. While we support the idea in principle much of the time, we are in a difficult position, because, hitherto, fishermen have had relatively unrestricted access to the sea. Of course, that is

²⁸ [RoP 8 November c.79](#)

²⁹ [Countryside Council for Wales, Written evidence from the Countryside Council for Wales, September 2012](#)

³⁰ [RoP 4 October 2012 c.35](#)

being eroded by different things over the period of time that we are coming to, and it is likely to be eroded even more. The problem is that, if we set aside specific fishery areas, we feel that we are going to be boxed in to those fishery areas and fishing will, essentially, be banned everywhere else. With fishing, we are talking about mobile species a lot of the time. If we say, 'Okay; this is a great area for fishing now, and if we could get that designated as a fishing area, that is fantastic for now', what happens with climate change or with just natural processes and species moving? It may be fantastic now, but in a year or two, or even in a shorter time frame than that, fish can move. Fishermen must be able to have an adaptive system. If we get areas where fishermen are literally going to be boxed in, we are in danger of having the industry not able to function at all. We would rather have unrestricted access, as we currently have. Obviously, there will be some areas where fishing has to be restricted, but we would rather have the rest of them where fishing is not restricted."³¹

Cross-border Relationships

63. The importance of cross-border relationships and coordination in relation to marine planning was raised by the majority of stakeholders in both written and oral evidence. On page two of its evidence WEL states:

“Marine planning is progressing rapidly elsewhere in the UK, with the Marine Management Organisation having commenced planning in four of the eleven English marine plan areas and established a programme for full marine plan coverage of English waters by 2021, whilst a pre-consultation draft national marine plan is progressing in Scotland. It is WEL’s belief that further impediments to the process in Wales may deter the Marine Management Organisation from designating a cross-border region with Wales as their next plan area, and therefore could further delay the progression to robust and spatially prescriptive marine plans for the entire Welsh marine environment.”³²

³¹ [RoP 8 November c.135](#)

³² [Wales Environment Link, Evidence to the Environment and Sustainability Committee inquiry into marine policy in Wales, September 2012](#)

64. A number of stakeholders made reference to the need to finalise concordats between the Welsh Government and the UK Government on marine planning. On page three of its written evidence the Severn Estuary Partnership states:

“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.”³³

65. In his oral evidence, Mr Russell from BMAPA stated that for developers it will be important to ensure consistency and joint planning in cross-border areas.³⁴

Stakeholder engagement

66. Some stakeholders expressed concern that the Welsh Government had not yet responded or published a consultation summary of the 2011 consultation on a proposed approach to marine planning in Wales and that this had led to the disenfranchisement of stakeholders.

67. In their written and oral evidence both the Severn Estuary Partnership and Pembrokeshire Coastal Forum argued that it will be important to secure stakeholder engagement in the development of marine plans and that both they and the Wales Coastal Maritime Partnership could act as conduits for this work. Both these organisations and WEL stated that if Partnerships are utilised then support should be provided for the development of a coastal partnership in North and North West Wales.

Welsh Government’s position

68. The Welsh Government is committed in its Programme for Government to develop marine planning, which accords with its responsibilities under the UK Marine Policy Statement and the Marine and Coastal Access Act 2009.³⁵

69. In its 2011 consultation, Sustainable development for Welsh seas: Our approach to marine planning in Wales, the Welsh Government

³³ [Severn Estuary Partnership, Response from the Severn Estuary Partnership, September 2012](#)

³⁴ [RoP 8 November 2012 c.97](#)

³⁵ [Welsh Government, Programme for Government, 2011](#)

stated that marine plans would be developed for Wales by 2013/14. The Minister reiterated this in his response to our report on energy policy and planning in Wales. In his paper to us on 28 November 2012, the Minister states that the Welsh Government's aim is to develop initial inshore and offshore marine plans by 2015. In addition, the Minister states in his paper:

“To reflect its cross-cutting nature, Cabinet will be asked to approve the approach to marine planning, particularly on co-location and co-use generally, as it should have generic relevance.”³⁶

70. The Minister's paper includes a summary of the preparatory work for marine spatial planning that the Welsh Government has completed. This work includes commissioning an impact assessment for marine planning in Wales, a coastal communities study and a GIS planning tool to support a marine planning web portal for Wales.

71. In relation to cross-border issues, the Minister stated:

“We will also continue to work in partnership with the UK Government and its agencies, in particular the Marine Management Organisation, and other governments to ensure that our respective marine policies are developed and implemented in an integrated way. We will look at formalising existing working arrangements through concordats or memorandums of understanding as required.”³⁷

72. In evidence to us, the Minister stated that a response to the 2011 consultation would be published soon and he acknowledged that there were 'questions' about the timing of this response.³⁸

The Committee's view

Progress

73. The development of a marine spatial plan for Wales is a crucial and should form the bedrock of the Welsh Government's marine policies. Following on from the Marine Act, the Welsh Government

³⁶ [Welsh Government, Paper for the National Assembly of Wales Environment and Sustainability Committee 28 November 2012 : Inquiry into marine policy, 28 November 2012](#)

³⁷ Ibid

³⁸ [RoP 28 November 2012 c.160](#)

made some initial progress. However, the work on the marine spatial plan has slow and has appeared to be have been stalled further by work on the marine conservation zones project.

74. In our view, this is due to the same reasons rehearsed in the previous section of this report; the lack of a delivery strategy; and a lack of resources.

75. We are concerned that decisions being taken in the absence of a marine spatial plan may limit the options available to the Welsh Government when developing its marine spatial plan. This poses the risk of suboptimum allocation of finite spatial resources.

76. We believe that in taking forward 'Recommendation 2' above the Welsh Government should prioritise the development and resourcing of its work in this area. This will enable it to better deliver its other marine commitments.

Integrated coastal zone management

77. The importance of integrated coastal zone management has also been emphasised to us during the course of our inquiry. The current strategy should be revised where necessary as part of the marine spatial planning process.

Evidence base

78. We heard that there is a substantial amount of data available from both public and private sources that could be of use to the Welsh Government in taking forward marine planning. We also heard that uncertainty in relation to the development of marine plans has hindered the development of some data, and risks a duplication of efforts in collecting data. This again emphasises the need to set out a clear pathway to the delivery of marine plans in Wales. We believe the Welsh Government should look at making use of existing data sources as well as working to ensure that, where opportunities exist, it works in partnership with industry, university research centres and the Third Sector to coordinate data collection efforts.

Co-location

79. The prospect of co-location of marine activities is enticing in principle, but we recognise that it is not a simple concept and will

require significant consideration during the development of marine plans and in the consideration of planning requests. The marine spatial plan should act as a vehicle for considering this, and the absence of plans risks opportunities being missed when development proposals are being considered.

80. We hope that the Welsh Government will consider the potential for co-location of activities in the development of marine spatial plans. We note that the Welsh Government has started work in this area. We believe that it should consider the case for sharing the results of this work with others, including the environmental NGOs and universities that are looking at this issue.

Cross border issues

81. In England, the Marine Management Organisation (MMO) is responsible for leading the development of marine plans in the inshore and offshore region. Plans are being developed on a regional level with 10 regions having been identified. Plans are being developed on a rolling basis with the East and South marine plan areas having been identified first. Planning for the East region which was the first region to be selected began formally in April 2011 and the plan is expected to be ready for adoption by the Secretary of State by the end of 2013.

82. The fact that marine planning in England is at a more advanced stage to the situation in Wales offers the Welsh Government the opportunity to learn some lessons from the English process. However, it is vital that the Welsh Government ensures that it is ready to take forward a joint-planning approach in cross-border areas. In particular, we share the WEL's concern that if Wales is not in a position of readiness, then the Marine Management Organisation may not designate a cross-border region with Wales as their next plan area. This could delay the completion of marine plans for the entire Welsh marine environment.

Stakeholder engagement

83. We were disappointed to learn that the Welsh Government had not communicated with stakeholders that contributed to its 2011 Approach to Marine Planning in Wales consultation. This has undone some of the positive work it had done in engaging stakeholders in this process. Stakeholders told us that this was a consequence of the Welsh Government re-tasking their sole member of staff with marine

planning responsibilities to work on the marine conservation zones project. This again demonstrates a need for a detailed action plan and suggests a lack of resource to deliver all that is required of the Welsh Government at present.

84. In taking forward all marine policy work, the Welsh Government should seek to utilise existing stakeholder structures, such as the coastal partnerships, and it may wish to consider supporting the development of coastal partnerships in the North and West of Wales. In arriving at this view, we recognise that the strength of these organisations lies in their stakeholder led bottom-up development and that a top-down approach to their creation is unlikely to be effective.

Recommendation 4: The Welsh Government should review its ICZM strategy as soon as possible, but no later than by April 2014 and ensure that it is considered in the development of marine spatial plans.

Recommendation 5: The Welsh Government should work with partners to identify the existing data sources available to underpin marine planning in Wales. Where opportunities exist, it should work in partnership with industry, university research centres and the Third Sector to coordinate data collection efforts. We expect the pathway to achieving this to be set out in response to 'Recommendation 2' above.

Recommendation 6: In preparing marine plans for 2015 the Welsh Government ensures that it is ready to take forward a joint-planning approach in cross-border areas and that it works with the Marine Management Organisation so that it is not deterred from designating a cross-border region with Wales as its next plan area. In order to ensure it is in a position to do this the Welsh Government should seek to have a concordat or Memorandum of Understanding in place with the MMO as soon as possible and no later than December 2014.

5. Marine protected areas

A high proportion of Welsh seas are designated for protection, but the environmental status of existing marine protected areas is unclear and the management of existing sites needs to be improved.

Stakeholder views

Existing marine protected areas

85. In both their written and oral evidence RSPB Cymru, WWF, Wildlife Trusts Wales ('WTW') and the Marine Conservation Society express concern about the status of existing marine protected areas (MPAs) in Wales. On page two of its evidence WTW states:

“At over 36% of Welsh waters, the Wildlife Trusts recognise that Wales is leading the UK in the area of our territorial waters designated as MPAs. Whilst these sites present considerable potential to contribute to the protection of the marine environment, designation without appropriate management does not constitute protection. At the last reporting round on the condition of our existing MPAs in 2007, over 50% of features were found to not meet favourable conservation status. To address this, there needs to be a significant improvement in the management, enforcement and monitoring of these sites to improve the level of protection and ensure they are able to meet their objectives. These factors will need to be met with an increase in resourcing available to support these sites.”³⁹

86. In her oral evidence, Ms Henshall from Wildlife Trusts Wales stated that improving the management of exiting sites could make a significant contribution to improving the marine environment in Wales:

“However, in addition to marine conservation zones, perhaps of more concern for us is ensuring more effective management of the existing marine protected areas that we have. They cover over 36% of Welsh waters and if we can ensure those sites

³⁹ [Wildlife Trusts Wales, Evidence to the Environment and Sustainability Committee inquiry into marine policy in Wales, September 2012](#)

reach their objectives, that would be a significant contribution to the effective protection of our marine environment.”⁴⁰

87. In both its written and oral evidence CCW supported this view and stated that the highest priority for marine conservation in Wales should be improving the management of existing sites:

“In summary, the main focus for Wales should be on the existing suite of sites and improving their management.”⁴¹

88. WEL and its member organisations in their written evidence welcomed the outcomes of the recent review of the management of existing MPAs completed by CCW and urged the Welsh Government to act quickly to implement its recommendations. In its written evidence CCW summarised the key recommendations as follows:

“To better understand the issues affecting MPA management CCW recently carried out a review of the management of MPAs in Wales. The evaluation report 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.

“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 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.”⁴²

⁴⁰ [RoP 18 October 2012 c.307](#)

⁴¹ [Countryside Council for Wales, Written evidence from the Countryside Council for Wales, September 2012](#)

⁴² Ibid

89. In both its written and oral evidence RSPB Cymru expressed specific concerns about the extension of marine Special Protection Areas (SPAs) for birds. On page six of its evidence RSPB Cymru states:

“RSPB Cymru is particularly concerned with the continued failure to classify the ‘most suitable territories’ as Special Protected Areas (SPAs), or to implement any other special conservation measures, for avian species at sea. A UK approach to the identification of ‘maintenance’ extensions to breeding colony SPAs, to protect areas used for behaviours directly associated with the colony, such as resting, bathing and mating, has been agreed since 2008. Despite this there has been a significant lack of progress to designate these site extensions within Welsh waters. Completion of the SPA network requires adequate protection for seabirds not only near to nesting sites, as provided by the proposed extensions, but also offshore where the seabirds actively feed where more work is needed to identify the full suite of foraging areas.”⁴³

Marine Conservation Zones

90. Stakeholders have expressed considerable concerns about the manner in which the Welsh Government consulted on proposals for highly protected marine conservation zones, and the consequences that this may have for future stakeholder engagement.

91. On page eight of its written evidence WEL makes reference to the previous Stakeholder and Engagement Group set up to inform the Marine Conservation Zones process:

“Perhaps of more immediate concern is the breakdown of relationships with stakeholders as a result of the MCZ Project Wales, which has the potential to detrimentally impact stakeholder engagement in future projects. WEL urges Welsh Government to make an announcement on the future of the project as soon as possible, so as to maintain momentum in existing projects and to address the level of disenfranchisement among stakeholders. Whilst WEL welcomed the creation of the Stakeholder and Citizen Engagement Group (SCEG), the level of activity to date has been limited despite strong interest by several members for the group to be more

⁴³ [RSPB Cymru, Response from RSPB Cymru, September 2012](#)

active. Furthermore, the stakeholder engagement plan has appeared ad hoc, leading to a greater level of confusion than expected. We feel more should have been done to address stakeholder concerns and clarity should have been given to Welsh Government proposals more promptly.”⁴⁴

92. In its written and oral evidence, the Marine Conservation Society (the ‘MCS’) outlines its disappointment that recommendations made by CCW to the Welsh Government on how the consultation process on Marine Conservation Zones should be run weren’t taken forward by the Welsh Government. On page seven of its evidence MCS highlights the following:

“Although WG have indicated that they will be carrying out further stakeholder engagement, we would urge them to revisit the advice provided by CCW, and engage independent professional stakeholder facilitators to try to rebuild stakeholder confidence and willingness to participate in the policy processes.

“We would urge WG to review the CCW advice in their original recommendation on stakeholder engagement for the highly protected MCZ process, given the current lack of regard for WG as a result of this consultation. ‘Recommendation 5: An independent and efficient process will require a free standing staff unit (minimum three identified) in order to deliver a focused, well-managed, strongly evidence based, open, transparent and accessible process.’ . This was just for the MCZ process but could be applied to all stakeholder engagements.”⁴⁵

93. The RYA and Welsh Yachting Association (WYA) expressed concern about cross-Government communication within the Welsh Government in relation to the impact of the proposed Marine Conservation Zones. In particular they highlighted the impacts on fisheries enforcement and the Welsh Government’s Active Wales strategy. On page three of its written evidence the RYA states:

“The considerable restrictions imposed by highly protected MCZs are proposed to be established through formal

⁴⁴ [Wales Environment Link, Evidence to the Environment and Sustainability Committee inquiry into marine policy in Wales, September 2012](#)

⁴⁵ [Marine Conservation Society, Evidence to the Environment and Sustainability Committee Inquiry into Marine Policy in Wales, September 2012](#)

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.”⁴⁶

94. Mr Morgan from the Welsh Yachting Association provided an example:

“To give you an example, there is the site proposed for Llŷn—between St Tudwal’s Island East and Llanbedrog. Pwllheli Sailing Club is one of four sea-based designated academies across the UK. The number of major international and UK national events that run on that site in the last four years has generated millions of pounds for the local economy. Not only is it a site of importance for international competition, but it is also where our Welsh national squads train through the winter. Hannah Mills, who won a silver medal at the Olympics a few months ago, started off her sailing not far from us, but as soon as she got into the Welsh national squad structure, she came up to Pwllheli. The importance of that site and the potential restrictions that may or may not come about have a big impact for us as a sport in contributing to several Welsh Government strategies, such as ‘Creating an Active Wales’ and ‘A Vision for Sport in Wales’, the elite sport strategy. That is our real concern in relation to some of these sites.”⁴⁷

⁴⁶ [Royal Yachting Association, National Assembly for Wales Inquiry into Marine Policy in Wales, September 2012](#)

⁴⁷ [RoP 8 November 2012 c.215](#)

Off-shore conservation zones

95. A number of stakeholders are concerned that the Welsh Government has not been engaged in the off-shore conservation projects being coordinated for the UK Government by JNCC. Mr Cunningham from RSPB Cymru told us:

“In terms of addressing this, it needs to be key that the Welsh Government is buying into that process, actively representing Wales on this and not leaving it to England to decide where these sites will go.”⁴⁸

96. Mr Cunningham highlighted that while responsibility for designating these sites lies with the UK Government, enforcement of these sites will be the responsibility of Welsh Government fisheries officers.

97. In his oral evidence Mr Wilson from the Welsh Fisherman’s Association outlined his concerns:

“I think that there are very legitimate issues to be raised about the ability that we had as an industry to engage in the Natural England-led MCZ process. That seemed to develop into a very dogmatic process. I went to a couple of the Irish sea conservation zone meetings. There were a strict number of stakeholder representatives who were asked to provide evidence to that group. It was not very easy getting Welsh views heard on that group. Strangely, it is no coincidence that a lot of the offshore large MCZs proposed exist in the Welsh offshore zone. It depends upon which end of the extreme you come from. The MCZ process has failed for one reason or another.”⁴⁹

98. Mr Evans from the Welsh Fisherman’s Association told us that a number of sites had been taken out of consideration because they had already been included in the round three offshore wind development areas:

“Equally, it is quite relevant that, with regard to the Irish sea conservation zone project, apart from not consulting with Welsh industry, one of the major faults or problems with that is that it did not take into consideration any other proposals for

⁴⁸ [RoP 18 October 2012 c.276](#)

⁴⁹ [RoP 8 November 2012 c.163](#)

MPAs that were going to be taking place in Welsh territorial waters. Clearly, there were other areas in round three that were taken out of the equation, essentially because the planning had been approved or had been applied for at that stage. That element or area was taken out of the overall picture, which meant that any proposed areas that were supposed to be within a given percentage of whatever habitats they were looking to protect were dispersed further. There were a number of criticisms, but, in a Welsh context, the location of the sites that have been indicated up to this time would support the fact that we were not in the room.”⁵⁰

99. Defra has responsibility for the designation of Marine Conservation Zones (MCZs) in Welsh Offshore water (between 12 nautical miles and the median line with Ireland). In addition a number of sites proposed within the English inshore waters will neighbour Welsh Waters and thus have an impact on Wales. On the 13 December 2012 Defra issued a consultation on proposals for the designation of MCZs in 2013. Of those proposed two within the Irish Sea Conservation Zone will have a particular impact on Wales. They are the proposed North Celtic Deep site which is within Welsh offshore waters and the South Rigg site within English inshore waters. The consultation will close on the 31 March 2013. Proposals for further MCZs in the Welsh offshore waters and in neighbouring English inshore waters will be brought forward by Defra in future years.

The Welsh Government’s position

Existing marine protected areas

100. On 21 December 2012, the Welsh Government laid before the Assembly its Report to the National Assembly for Wales on Marine Protected Areas in Wales.⁵¹ Much of the following is taken from this document as it represents the Welsh Government’s most up to date position.

101. In terms of the number of MPAs in Wales and their coverage, the Welsh Government reports:

⁵⁰ [RoP 8 November 2012 c.164](#)

⁵¹ [Welsh Government, Report to the National Assembly for Wales on Marine Protected Areas in Wales, 21 December 2012](#)

“There are currently 129 MPAs in Wales, these include: 11 Special Areas of Conservation; 10 Special Protection Areas; 103 Sites of Special Scientific Interest; 4 Ramsar sites and 1 Marine Nature Reserve. The existing suites of MPAs in Wales make a significant contribution towards the conservation of the marine environment, the representation and replication of features.”

102. This MPA network covers an area of 5.6 thousand KM². This means that 35% of Welsh seas are under designation.

103. However, the Welsh Government assesses the overall marine protected areas network as being incomplete:

“The marine protected areas UK network, and Wales’ contribution to it is not considered complete. We recognised that some species are not covered in existing sites that sites may not be well connected and features may not be adequately replicated.”

104. More specifically, in relation to the status of existing sites, the Welsh Government states:

“We are working towards a comprehensive and up to date assessment of the condition of all our MPAs and MPA features in Wales, and a comprehensive assessment of how effectively the sites are being managed. This will be considered as part of the MPA Management Review in partnership with the Countryside Council for Wales and then Natural Resources Wales.”

105. In the same report, the Welsh Government states that, based on its current understanding of the evidence, the Special Areas of Conservation network in Welsh waters is complete.

106. The Welsh Government’s position in terms of the Special Protected Areas extensions is reported as follows:

“To develop further Wales’ SPA contribution to the network, the Welsh Government is working with the Countryside Council for Wales to complete the seaward extension of 3 seabird colonies at Grassholm SPA, Skokholm and Skomer SPA and the Aberdaron Coast & Bardsey Island SPA.”

Commencement of Part V of the Marine Act

107. The Welsh Ministers are '[...] keeping under review the commencement of Part V in Wales in light of the additional work on Marine Conservation Zones which is due to report in April 2013.'⁵²

Marine Conservation Zones

108. On 5 November 2012 the Minister announced the next steps in the Marine Conservation Zones process in which he outlined that a Task and Finish Team and a Stakeholder Engagement Group would be established to consider the responses the Welsh Government received to its consultation on Marine Conservation Zones and provide advice on the way forward with the designation process. The stakeholder group will be chaired by the Sustainable Futures Commissioner Peter Davies and will report by April 2013. The Task and Finish Team will be made up of CCW, Environment Agency Wales, the Joint Nature Conservation Council (JNCC), the Centre for Environment, Fisheries and Aquaculture Science and the Welsh Government's marine and fisheries units.⁵³

The Committee's view

Existing marine protected areas

109. Many stakeholders have expressed concerns about the environmental status, management and enforcement of existing marine protected zones. The Welsh Government recognises that more work needs to be done.

110. The Welsh Government's report on marine protected areas⁵⁴ offers little other than details of the coverage and number of designations. Whilst Wales has a comparatively large proportion of its seas under designation, this is only significant if the sites are managed correctly. The report is largely silent when it comes to the status of the areas designated and that leaves us unsatisfied. We accept that determining the condition of MPAs is not without difficulty and that the Welsh Government is working towards assessing their condition. It

⁵² [Welsh Government, Report to the National Assembly for Wales on Marine Protected Areas in Wales, 21 December 2012](#)

⁵³ [Welsh Government, Written Statement - Marine Conservation Zones - Next Steps, 5 November 2012](#)

⁵⁴ [Welsh Government, Report to the National Assembly for Wales on Marine Protected Areas in Wales, 21 December 2012](#)

is more than three years since the passing of the Marine Act and we believe that the Welsh Government should have been in a position to offer a fuller report to the Assembly. The primary purpose of the report under the Marine Act is to report on marine protected zones. The fact that there are none in Wales, and designation of MCZs is somewhat off, highlights the Welsh Government's lack of progress in implementing the Marine Act.

111. Once the Welsh Government commences Part V of the Marine Act, it will be required to report to the Assembly on a six-year cycle. This cycle allows reporting to the Assembly in the year prior to Habitats Directive Article 17 reporting duties being required. Whilst a six-year cycle is reasonable once adequate arrangements are in place for the management of marine protected areas and a baseline for measurement of progress has been established, we have not reached this starting point yet. Therefore, whilst we believe that the six-year reporting period should be adhered to, we also believe that an interim report should be made to the Assembly with a more accurate appraisal of the environmental status, governance and enforcement of existing marine protected areas within the next 12 months. The outcome of the Habitats Directive Article 17 reporting in 2013 may provide an opportunity to provide such a report.

112. In 2007, over 50 per cent of Marine Protected Areas were considered to be in unfavourable condition. When we couple this with CCW's recent report on the management of MPAs that found that there are issues that are '[...] hampering delivery of effective management across all MPAs in Wales [...]', we are left concerned about the current status of MPAs in Wales, though, as we recognise above, a proper evaluation of their condition has not been carried out in recent years.

113. We believe that the extension of SPAs is overdue, with this being agreed to over four years ago. We welcome the action that the Minister is taking, but his action must be swift. We expect to see the SPA extensions in place by the end of April 2013 and for details of the future management and monitoring arrangements of these SPAs to be published.

Recommendation 7: By the end of March 2013, the Welsh Government should complete its work on the extension of existing Special Protected Areas. We expect to see details of how this is to be delivered in its response to Recommendation 2 above.

114. Following the publication of this report on 21 December we would expect the Welsh Government in the near future to issue a statement outlining how it intends to take forward the recommendations made by CCW in its review of the management of MPAs.

Recommendation 8: We recommend that the Welsh Government issues a statement outlining how it intends to take forward the recommendations made by CCW in its review of the management of MPAs. It has been considering CCW's review since July 2012 and we expect it to respond within the lifetime of the CCW.

Commencement of Part V of the Marine Act

115. We consider the passing of legislation that leaves the commencement of scrutiny clauses (s.123(6) and s.124(1)) of the executive to be inadequate. Further to this, we are disappointed with the Welsh Ministers' disinclination to commence Part V on the grounds that they are not able to meet the requirements of this part of the Marine Act. It is clear to us that when this Act was passed, it was expected that Part V would be commenced before the end of 2012, else there would not have been a time limited clause on the face of the Act. We urge Welsh Ministers to commence Part V as soon as possible.

116. As we understand it, the Welsh Government's disinclination to commence Part V is due to the section 123(6) requirement to publish a statement of principles relating to the achievement of the objectives set out in section 123(2) within two months of Section V coming into force.

117. Section 124 of the Act requires a report on 'the extent to which [...] the objective in section 123(2) has been achieved. We contend that in order to make a satisfactory assessment of the achievement of the objective in section 123(2), the statement of principles required by section 123(6) needs to have been provided. The Welsh Government has decided to voluntarily provide a report in keeping with section 124 of the Marine Act, however it has not laid a statement of principles before the Assembly – an essential precursor to the section 124 report in our opinion. As mentioned above, the primary purpose of the section 124 report is to report on MCZs. The fact that there is no statement of principles and no MCZs designated after more than three years emphasises the importance of commencing Part V and delivering its requirements.

118. This leads us to the view that the Welsh Government has not managed the implementation of the Marine Act well. The drafting of sections 123 and 124 of the Marine Act leave us in no doubt that Part V should have been commenced, as both the statement of principles and the section 124 report should have been laid before the Assembly by the end of 2012. As a consequence of delaying the commencement of Part V, important provisions for democratic accountability have been circumvented and the timetable for meeting commitments has been delayed beyond a point that we, and stakeholders, consider reasonable.

119. Furthermore it is clear from some of the written responses that we received that some stakeholders were unaware that this Part of the Marine Act was yet to be commenced. The Committee is disappointed that communication on implementation by the Welsh Government has not been more effective.

Recommendation 9: We recommend that the Welsh Government should commence Part V of the Marine and Coastal Access Act 2009. We expect it to set out a date for commencement after it has considered the findings of the task and finish group in April.

Recommendation 10: By the 31 December 2013, the Welsh Government should voluntarily lay before the Assembly a report that meets the requirement of section 124 of the Marine and Coastal Access Act 2009. This report should include an appraisal of the environmental status, governance and enforcement of existing marine protected areas.

Marine Conservation Zones

120. The Welsh Government's decision to prioritise the marine conservation zone project over other aspects of marine policy has not been managed well. This has had a detrimental impact on the Welsh Government's relationship with stakeholders.

121. This is not an irretrievable position, and the Minister's decision to establish a task and finish group appears to be a step in the right direction. Had such an approach been taken in the first instance, some of the hostility generated by the first round consultation might have been avoided. It is essential that the Welsh Government learns from the first round consultation and that it invests sufficient resources to

ensure that it meaningfully engages with the Welsh public and stakeholders in subsequent rounds of the process.

122. We are pleased that the task and finish group's remit includes consideration of marine protected zones other than those designated 'highly protected' and that the Welsh Fishermen's Association's Striking the balance report is being considered by the Minister.⁵⁵ While the Committee is heartened that this report appears to have formed the basis for a new dialogue between stakeholders on a possible way forward it is disappointing that was brought forward due because of inadequate consultation by the Welsh Government.

123. We believe that the Welsh Government should take forward its work on marine protected zones in the context of other marine policy developments, such as the management of existing MPAs and marine spatial planning.

124. Agreement to Recommendation 2, above, would allow the Welsh Government to set out the task and finish group's work as part of an overall action plan.

Off-shore conservation zones

125. It is vital that the Welsh Government, alongside stakeholders, ensures that Welsh interests are considered in the development both of offshore conservation zones and those within neighbouring waters. Whilst the Welsh Government is not responsible for the designation of these zones they will have significant impacts on Welsh waters and in the case off offshore zones it will be responsible for their enforcement. It is difficult to see how the Welsh network will be able to contribute to a coherent network of protected areas across the UK that both the Marine Act and the Marine Strategy Framework Directive requires without better engagement in this process.

126. The Secretary of State is required to consult Welsh Ministers when any part of a proposed MCZ lies in the Welsh offshore region. When the Minister receives such a notification, we ask that he informs this Committee and sets out how he intends to respond to the Secretary of State.

⁵⁵ [Welsh Fishermen's Association, Striking the Balance: An Ecosystem-Based Approach for MCZ Management in Wales, July 2012](#)

Recommendation 11:

(a) The Welsh Government should engage with the offshore Marine Conservation Zone designation process and facilitate the co-ordination of Welsh stakeholder input to these processes.

(b) When the Secretary of State consults the Welsh Ministers on the proposed creation of a Marine Conservation Zone in Welsh offshore waters, the Welsh Government should inform us in writing of this and set out the steps it intends to take to ensure the UK Government considers Welsh interests

6. Marine licensing

The Welsh Government's Marine Consents Unit is held in high regard and the expertise and experience of this unit should be maintained.

Stakeholder views

Priority

127. Concern has been expressed by a range of stakeholders about the transfer of marine licensing functions from the Welsh Government to Natural Resources Wales. In both their written and oral evidence BMAPA, RYA, WEL, the Crown Estate and the Severn Estuary Partnership praised the work of the Welsh Government's Marine Consents Unit and expressed concern that the experience and good working practices of this Unit would be lost in any transfer. In its written evidence on page four the RYA states:

“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.”⁵⁶

128. Mr Russell from the BMAPA expressed concern about a potential transfer and stated that he had not received a response from the Welsh Government to concerns raised by his organisation during the consultation on the establishment of Natural Resources Wales:

“Not that I am aware of. There has certainly been no specific response, and I cannot recall there being too much detail in any of the responses to the consultation, either. That is partly because—and this goes back almost to the beginning of our discussion—it reflects the fact that people do not understand the sensitivity there, both in moving a sustainable development delivery function into an organisation that, effectively, has its focus on environmental protection, and also the risks associated with losing the experience that there is within the current unit, which is absolutely key. Potentially, the new organisation could have 20 or 30 new licensing staff, but if they are all starting from scratch, that means that we, from a developer point of view, are starting from scratch.”⁵⁷

129. In its written evidence WEL highlighted some issues with the Public Register of applications for marine licences in Wales:

“The Marine Act requires the establishment of a Public Register containing information on marine licence applications, licences granted and compliance and enforcement, however, at present this takes the form of a pdf document which does not appear to be regularly updated. In contrast, the Marine Management Organisation (MMO) has an online database of marine licence applications that is easily searchable and all current applications are available to view.”⁵⁸

The Welsh Government’s view

130. The Explanatory Memorandum that accompanies the *Draft Natural Resources Body for Wales (Functions) Order* indicates that the

⁵⁶ [Royal Yachting Association, National Assembly for Wales Inquiry into Marine Policy in Wales, September 2012](#)

⁵⁷ [RoP 8 November 2012 c.108](#)

⁵⁸ [Wales Environment Link, Evidence to the Environment and Sustainability Committee inquiry into marine policy in Wales, September 2012](#)

Welsh Government will seek to delegate Welsh Ministers' marine licensing functions to the new body.⁵⁹

131. Project management arrangements are in place between the Welsh Government and Natural Resources Wales to facilitate this transfer, and improvement of the public register forms part of those arrangements.

The Committee's view

132. Stakeholders hold the Welsh Government's Marine Consents Unit in high regard, and we commend the Marine Consents Unit's staff for earning this respect.

133. In transferring marine licensing to Natural Resources Wales, the Welsh Government must preserve and build upon the expertise and experience of this Unit and there must be no diminution of service during the transition period. We intend to monitor this as part of our on-going work in relation to the establishment of Natural Resources Wales.

134. The public register is an element of marine licensing that can be improved and we expect the Welsh Government to respond to stakeholder concerns in this area, and to work with them to develop suitable online provision.

Recommendation 12: The Welsh Government ensures that the expertise and experience of the Marine Consents Unit is preserved and built upon and that there is no diminution of service during its transition to Natural Resources Wales.

Recommendation 13: The Welsh Government works with Natural Resources Wales to ensure that it develops suitable online provision for a public register for marine licencing.

⁵⁹ [Welsh Government, Explanatory Memorandum to the draft Natural Resources Body for Wales \(Functions\) Order, November 2012](#)

7. European Directives

Progress towards meeting the requirements of European directives is unclear.

Stakeholder views

Marine Strategy Framework Directive

135. In both its written and oral evidence CCW expressed concern about the Good Environmental Status indicators adopted by both the Welsh and UK Governments and about the capacity in Wales to deliver the next stage of the Directive. Page 15 of CCW's evidence states:

“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.

“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.”⁶⁰

136. The Welsh Fishermen's Association (WFA) highlights on page three of its evidence that a lack of clarity on how the Directive will be implemented in Wales is creating uncertainty for the industry:

“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

⁶⁰ [Countryside Council for Wales, Written evidence from the Countryside Council for Wales, September 2012](#)

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.”⁶¹

Integration between Directives

137. The WFA expressed concern to the Committee about the ‘plethora’ or legislative targets that are now applicable to the marine environment:

“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.”⁶²

138. In oral evidence to the Committee the WFA stated that no guidance was available to the industry on the different Directives and the actions they needed to take to comply with the different requirements:

“Mr Evans: James has had many years in the industry and with these processes and is a lot more familiar than I am with them. A lot of this has been a learning process for me, and I think that you have to research these issues for yourself and then try

⁶¹ [Welsh Fishermen’s Association, Written evidence to the Environment and Sustainability Committee, September 2012](#)

⁶² Ibid

to figure out how one relates to the other. Were there a joined-up approach, as we mentioned in the evidence, that would avoid any potential conflict or confusion in achieving these targets, because a lot of the overarching policies set fairly clear delivery dates, and yet, if this confusion exists, and this depends upon everybody being on the same page to deliver it, surely that will be a hurdle to achieving those dates.

“Ms Horsfall: That is an area where the Welsh Government has a distinct advantage, because it is often just a question of scale. When you are looking at such an intimate setting as Wales and the Welsh Government, you can have people who are specialists but they do not necessarily have to be in separate departments—they can all work together, which can be a distinct advantage—whereas when you are looking at the CFP or MSFD, they are dealt with by completely different departments within the European Commission. Those departments do not talk to each other on a daily basis and those officials do not understand what is going on. Wales can be at a distinct advantage there: we feel that we could have the co-ordination that is not necessarily apparent in other administrations.”⁶³

The Welsh Government’s view

139. In its paper to us, the Welsh Government provided the following in relation to the European Directives it is subject to:⁶⁴

The Marine Strategy Framework Directive

140. The Welsh Government states:

“As Competent Authority for the Directive for the Welsh inshore marine area, we are committed to playing our part in helping achieve Good Environmental Status. Implementing the reformed Common Fisheries Policy, and continuing to implement other European Directives such as the Water, Shellfish, Habitats and Birds Directives will play a major part in delivering Good Environmental Status. It is not yet clear what Wales specific

⁶³ [RoP 8 November 2012 c.175-6](#)

⁶⁴ [Welsh Government, Paper for the National Assembly of Wales Environment and Sustainability Committee 28 November 2012 : Inquiry into marine policy, 28 November 2012](#)

measures will need to be taken to help achieve Good Environmental Status as the spatial scale for assessment is yet to be determined. However the way in which we (and the rest of the UK) use our powers and develop and implement our policies in respect of marine planning and marine nature conservation, including marine protected areas, is likely to be an important contributor whatever the spatial scale.”

The Water Framework Directive

141. The Welsh Government states:

“As the Competent Authority for implementation of the Water Framework Directive in England and Wales, the Environment Agency are responsible for drawing up the River Basin Management Plans (RBMPs) in accordance with the principles and steps of the planning process set out by the Welsh Government and Defra.

“The first RBMPs were approved by the Minister (and also the UK Secretary of State for cross-border plans) in December 2009. In Wales, the first RBMPs show that in 2009 only 33% of our water bodies were Good, and that by 2015 this would improve to 41%. Our ambition is to achieve 50% and work towards the delivery of objectives for Protected Areas such as Natura 2000 sites and Bathing Waters.

“The RBMPs follow a 6 year cycle. Future plans will be published in 2015 and 2021.”

The Bathing Water Directive

142. The Welsh Government states:

“The Directive has been revised to set microbiological standards that are tighter than those applied by the 1976 Bathing Water Directive and which have to be met by 2015. On the basis of bacteriological sampling undertaken over four years (rather than a single year as required in the current Directive), waters will be classified as excellent, good, sufficient or poor.

“We are currently in a transitional period between the current and revised Bathing Water Directives. The requirements of

current Bathing Water Directive are changing in stages to reflect the requirements of the revised Bathing Water Directive between now and 2015.”

The Habitats and Birds Directives

143. The Welsh Government states:

“The Welsh Government is committed to the overarching aim of the Habitats and Wild Birds Directives, which is to safeguard marine ecosystems by protecting the important habitats and species that make up those systems, and working towards getting them to favourable conservation status. We currently do this mainly through regulatory regimes and by designating under the Directives for special areas of conservation and, (for birds), special protection areas.”

Article 17 Reporting

“Every six years, Member States of the European Union are required by Article 17 of the Directive to report on implementation of the Habitats Directive. The Joint Nature Conservation Committee co-ordinates the report for the UK with input from the country nature agencies, including the Countryside Council of Wales. The first round of reporting focused on implementation of the Directive and the second on an assessment of the condition of protected sites. The third report is due in 2013. The framework for this third round of reporting is the assessment of the conservation status of all of the habitats and species in the Directive, with information on the wider environment and not just protected sites.

“The Welsh Government, working in partnership with Natural Resources Wales, will use the outcome of the second Article 17 reporting to review and prioritise actions we need to take in Wales with regard to the conservation status of European marine habitats and species, including the management arrangements for marine protected areas, and to integrate them with wider strategies such as marine planning and Sustaining A Living Wales.”

144. The Welsh Government also expressed sympathy with the WFA concern around the complexity of the various demands placed upon

them by different directives, and it committed to doing more to communicate these requirements to stakeholders.⁶⁵

The Committee's view

145. It is difficult to assess whether or not the Welsh Government is going to fulfil its European duties, as sufficient information is currently unavailable. This uncertainty leads us to be concerned as timescales for effecting change in the marine environment can be long, and the time available for delivering on European obligations is shortening.

146. We hope that in responding to 'Recommendation 2', the Welsh Government sets out how it will meet the requirements of each European Directive that relates to the marine environment.

147. The Article 17 reporting in 2013 will provide us with a better view of the environmental status of marine protected areas in Wales and we intend to revisit this once this information becomes available.

148. The production of the marine action plan that we recommend above would act as a useful vehicle for the communication of the various duties and the actions that are required by the Welsh Government and its delivery partners to meet these duties.

⁶⁵ [RoP 28 November 2012 c.176](#)

Annex A - Terms of reference

The purpose of the inquiry is to:

- assess progress made by the Welsh Government in relation to implementation of the *Marine Act 2009* with particular regard to the marine conservation and the marine spatial planning powers of the Act;
- assess progress made by the Welsh Government towards the achievement of its European obligations in this field with particular regard to the Marine Strategy Framework Directive, the Birds Directive, the Habitats Directive, the Bathing Water Quality Directive and the Water Framework Directive.

The Committee will consider:

- what progress has been made in relation to the development of marine spatial plans for Wales?
- 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 development of the Welsh Government's functions in relation to marine licensing and fisheries and whether this has been effective?
- what progress has been made by the Welsh Government in the implementation of key European Directives?
- 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 resource 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?

Annex B - Witnesses

The following witnesses gave evidence to the Committee. Transcripts of the meetings can be viewed at

<http://www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?lId=1308>

4 OCTOBER 2012	
Session 1	
Dr Peter Jones	University College London
Professor Lynda Warren	
Session 2	
Sibylle Grohs	DG Environment, European Commission
Astrid Schomaker	DG Environment, European Commission
18 OCTOBER 2012	
Session 3	
Gill Bell	Marine Conservation Society
Dan Crook	WWF Cymru
Gareth Cunningham	RSPB Cymru
Beth Henshall	Wildlife Trusts Wales
8 NOVEMBER 2012	
Session 4	
Tonia Forsyth	Pembrokeshire Coastal Forum
Paul Parker	Severn Estuary Partnership

Session 5	
David Harding	Mineral Products Association
Mark Russell	Marine Aggregates
Session 6	
Jim Evans	Welsh Fishermen's Association
Sarah Horsfall	Welsh Fishermen's Association
James Wilson	Welsh Fishermen's Association
Session 7	
Steven Morgan	Welsh Yachting Association
Caroline Price	Royal Yachting Association
Session 8	
Olivia Burgess	The Crown Estate
David Tudor	The Crown Estate
Dr Mary Lewis	Countryside Council for Wales
Morgan Parry	Countryside Council for Wales
28 NOVEMBER 2012	
Session 9	
John Griffiths AM	Minister for Environment and Sustainable Development
Matthew Quinn	Welsh Government
Julia Williams	Welsh Government

Annex C - Written Evidence

The following written evidence was received. All written evidence can be viewed in full at

<http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?Ild=4412>

<i>Organisation</i>	<i>Reference</i>
Royal Yachting Association & Welsh Yachting Association	MP 1
Blaise Bullimore, Sue Burton & Jen Reis	MP 2
RSPB Cymru	MP 3
Pembrokeshire Coastal Forum	MP 4
The Welsh Sports Association	MP 5
Wildlife Trusts Wales	MP 6
Wales Landscape Partnership	MP 7
British Marine Aggregate Producers Association	MP 8
Environment Agency Wales	MP 9
Countryside Council for Wales	MP 10
National Parks Wales	MP 11
CRAGEN Llŷn a Môn	MP 12
Wales Environment Link	MP 13
Severn Estuary Partnership	MP 14
Marine Conservation Society	MP 15
WWF Cymru	MP 16
The Crown Estate	MP 17
Wales Coastal & Maritime Partnership	MP 18
Welsh Fishermen's Association Ltd	MP 19