

Welsh Government Response to the Report of the Environment & Sustainability Committee: Inquiry into marine policy in Wales

April 2013

I welcome the Committee's report, which supports and informs a strengthened focus on marine policy for Welsh seas and the Welsh Government's review of the arrangements and resources required for delivery.

As set out in my written evidence to the inquiry, the Welsh Government is committed to the UK-wide vision for clean, healthy, safe, productive and biologically diverse seas and the UK-wide high level marine objectives for achieving this vision. To deliver this vision the Welsh Government is establishing a marine programme of the four key, inter-dependent strands of policy work consisting of: marine planning, implementation of the Marine Strategy Framework Directive, marine nature conservation and marine licensing. The marine programme is being designed to work in an integrated way with policy areas across the Welsh Government, in particular Fisheries, Energy and Tourism, to support its cross-cutting nature.

We will frame all aspects of our marine programme within an ecosystem based approach, reflecting the requirements of the Marine Strategy Framework Directive, and as set out in the UK-wide Marine Policy Statement which provides the strategic policy framework for marine planning. This will complement the holistic approach of the Welsh Government's *Sustaining a Living Wales* agenda, including natural resource planning and management.

We are continuing with the review of the arrangements required to support the marine programme, which includes looking at the priorities within the programme and the level of resourcing required. Natural Resources Wales' contribution to the review is essential as we will work in close partnership with them to deliver key elements of the programme, adopting a co-design and co-production approach where appropriate. We are also reviewing how best to work with other organisations and stakeholders (public, private and third sector) to maximise impact.

We aim to complete the review and put in place the arrangements to support an integrated, and prioritised, marine programme by the end of 2013.

I have set out below my response to the report's individual recommendations.

Responses to the report's individual recommendations

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

Response: Accept

We are committed to giving marine policy in Wales the priority needed to contribute towards clean, healthy, safe, productive and biologically diverse

seas by establishing an integrated marine programme which is suitably structured and resourced. We need to complete the review of the arrangements for supporting the programme first, which involves internal and external considerations, including our partnership working with NRW.

Financial Implications: There might be financial implications which cannot be met from existing programme budgets and which we will need to consider.

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.***

Response: Accept in principle

One of the first outputs of the new integrated marine programme will be to set out priorities for marine work and how and when we aim to achieve them. We need to complete the review to establish the new marine programme, and I expect we will be able to provide more detail in 2013.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept

We are considering resources in the round, including for the Welsh Government, as part of our review of the arrangements for establishing the new marine programme.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept in Principle

The review of the ICZM strategy and how best to deliver it will be an integral part of the work on marine planning; the timing for developing our first national marine plans is 2015.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept

We are working with partners in this way and will continue to do so. Please refer to the response to Recommendation 2 with regards to the pathway.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept

The Welsh Government is committed to planning jointly with the Marine Management Organisation (MMO) for cross-border areas where practicable and will work with the MMO to have a memorandum of understanding in place by no later than December 2014. However it might not be practicable for us to plan jointly because we are taking a national approach to marine planning while England is taking a rolling regional approach and the timing might not align. The same situation applies in respect of Scotland and England.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept in Principle

We (working in partnership with NRW) are committed to completing this work this year. It will not be completed by March as we are awaiting final recommendations from the Joint Nature Conservation Committee's review in respect to changes to adjacent terrestrial Special Protected Areas, which we wish to consult on together in the interests of integration and reducing stakeholder fatigue.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept

We are planning to discuss the recommendations and next steps with Natural Resources Wales as part of our review of the arrangements to support the new integrated marine programme.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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 [Marine Conservation Zone] task and finish group in April.

Response: Accept

This is something we have already set out and will be doing.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept

We will work to produce such a report which needs to be considered together with the outcome of the Article 17 reporting to Europe on the Birds and Habitats Directives and the review of the management arrangements.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

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.

Response: Accept

We have already facilitated stakeholder input via the Wales Coastal & Maritime Partnership and the Inshore Fisheries Groups, and will continue to do so via the Stakeholder Focus Group that has been established to support our additional work on marine conservation zones.

The Secretary of State has written to consult me about the proposed marine conservation zone in Welsh offshore waters and I will consider all potential impacts for Wales before responding. I will copy the Committee my response.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets

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.

Response: Accept

The new marine licensing staff, all of whom have consenting and/or marine backgrounds, took up their posts in early February and are being trained by the Marine Consents Unit to ensure a smooth transition.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets

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

Response: Accept

Financial Implications: None. Any additional costs will be drawn from existing programme budgets