



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Newid Hinsawdd, Amgylchedd a
Materion Gwledig](#)

[The Climate Change, Environment and Rural
Affairs Committee](#)

30/03/2017

[Agenda'r Cyfarfod](#)
[Meeting Agenda](#)

[Trawsgrifiadau'r Pwyllgor](#)
[Committee Transcripts](#)

Cynnwys Contents

- 4 Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru—
Tystiolaeth Lafar gan Sefydliadau Anllywodraethol
Inquiry into Marine Protected Areas in Wales—Oral Evidence from
Non-governmental Organisations

- 25 Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru—
Tystiolaeth Lafar gan Swyddogion Ardal Cadwraeth Arbennig
Inquiry into Marine Protected Areas in Wales—Oral Evidence from
Special Area of Conservation Officers

- 44 Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru:
Tystiolaeth Lafar gan y Diwydiant
Inquiry into Marine Protected Areas in Wales: Oral Evidence from
Industry

- 61 Papurau i'w Nodi
Papers to Note

- 61 Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd
o'r Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle y mae cyfranwyr wedi darparu cywiriadau i'w tystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Jayne Bryant	Llafur
Bywgraffiad Biography	Labour
Sian Gwenllian	Plaid Cymru
Bywgraffiad Biography	The Party of Wales
Vikki Howells	Llafur
Bywgraffiad Biography	Labour
Huw Irranca-Davies	Llafur
Bywgraffiad Biography	Labour
David Melding	Ceidwadwyr Cymreig
Bywgraffiad Biography	Welsh Conservatives
Jenny Rathbone	Llafur
Bywgraffiad Biography	Labour
Mark Reckless	UKIP Cymru (Cadeirydd y Pwyllgor)
Bywgraffiad Biography	UKIP Wales (Committee Chair)

Eraill yn bresennol
Others in attendance

Gill Bell	Cyswllt Amgylchedd Cymru Wales Environment Link
Sue Burton	Swyddog ACA Forol Sir Benfro Pembrokeshire Marine Special Area of Conservation Officer
Jim Evans	Cymdeithas Pysgotwyr Cymru Welsh Fishermen's Association
Alison Palmer Hargrave	Swyddog ACA Pen Llŷn a'r Sarnau Pen Llŷn a'r Sarnau Special Area of Conservation Officer
Alec Taylor	Cyswllt Amgylchedd Cymru Wales Environment Link

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Louise Andrewartha	Dirprwy Glerc Deputy Clerk
Martha Da Gama Howells	Ail Glerc Second Clerk

Wendy Dodds

Y Gwasanaeth Ymchwil
Research Service

Dechreuodd y cyfarfod am 10:04.

The meeting began at 10:04.

**Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru—
Tystiolaeth Lafar gan Sefydliadau Anllywodraethol
Inquiry into Marine Protected Areas in Wales—Oral Evidence from
Non-governmental Organisations**

[1] **Mark Reckless:** Bore da. Good morning. Thank you very, very much for joining us. So that you are aware, if needed, translation from Welsh is on channel 1 of the system. We have an apology from Simon Thomas, one of our members, but otherwise we are all full and present and very grateful for you joining us to assist us with our marine inquiry. Could I ask each of you to introduce yourselves and your organisations for the record, please?

[2] **Mr Taylor:** Yes. So, my name is Alec Taylor. I work for WWF in the UK. I'm the marine governance programme manager, so I have a UK and EU remit that covers marine protected areas, so I hope I can bring in some of the wider experience that we have on marine protected areas management. And I'm also here representing Wales Environment Link.

[3] **Ms Bell:** Good morning. I'm Gill Bell. I'm head of conservation for the Marine Conservation Society. I'm here representing the marine working group. I'm also the chair of WEL marine working group.

[4] **Mark Reckless:** Thank you very much. Could I start by sharing an observation with you and asking whether you agree? It has been suggested by a number of respondents that we've had that there is something about a lack of joined-up or sufficiently strategic thinking in Welsh marine protected area management. Is that a criticism that you would agree with?

[5] **Mr Taylor:** I guess, to be honest, that I would agree with that, but I would probably frame it in a more positive light in the sense that, actually, let's look at what opportunities Wales has with the legislation and the policy it has. I think, compared to other parts of the UK and compared internationally, that Wales has some exemplary legislation and policy, in theory, to deliver on marine protected area management, and also for the benefit of wider seas. So, I think there's a real chance for Welsh Government

and Wales in general to be leaders in MPA management.

[6] But I do see some issues at the moment with the direction of travel that suggests that there does need to be a more strategic and a higher profile given to marine across Welsh Government. And to give you an example of that in the way that the Welsh national marine plan is being developed, there are what's called strategic resource areas being developed as part of that plan, which are designed to encourage activities into certain areas. We see at the moment that those strategic resource areas aren't necessarily considering marine protected areas in where they are encouraging those activities to go.

[7] So, I think there's a strategic opportunity there that's being missed to avoid some of those pressures on marine protected areas before they're actually occurring. And I think that's probably an example where there could be more joined-up thinking at the higher level to actually give marine protected areas the attention and the priority that they perhaps deserve.

[8] **Mark Reckless:** Gill.

[9] **Ms Bell:** Yes, I would agree overall. I'm in the position where I gave evidence in 2013 for the marine policy review back then by the Environment and Sustainability Committee, and although I do feel that there have been some improvements made—particularly, we had a strategic action plan developed as a result of that—we were a bit disheartened to hear that that's no longer being taken forward. So, Lesley Griffiths was asked in Plenary, and she noted that, as Alec has said, we now have the Wales marine plan being developed, which is great; we also have the natural resources policy; and she also mentioned that we have a fisheries policy. My concern is that there isn't this overall strategic plan as to how all those are going to work together.

[10] We also see that we have the cut and paste of 'and marine' put into a lot of policies. As an example, when we talk about things that are happening in a terrestrial sense, we don't just lump all terrestrial together, but, actually, we lump all marine together. Yet, it has as wide and as diverse elements. So, with regard to budgets and things like that, marine is in with agriculture and food, which indicates to me that it's fisheries that they're talking about, rather than marine. And yet, when you talk about environment and sustainable development, that is actually marine as well. And if you talk about planning, that's marine as well, and yet we lump everything of marine in and we don't seem to have this strategic overview and leadership.

[11] Part of that review also talked about resourcing and the need to prioritise resourcing, and it's one of the key things that we're very concerned about, although the main recommendation of the previous committee was that we had to give greater prioritisation to marine. There have been improvements and we're not disputing that; we just don't feel that there's been the strategic overview and overlook. We know what we need to do. We know that if we do it, we will get those improvements, and we can get the services and benefits from the ecosystems of marine if we just dedicate a little bit of time and resources upfront and look at a slightly long-term view, rather than the short-termism that's being currently advocated.

[12] **Mark Reckless:** Thank you. And on that key issue of resourcing, if I can bring in Huw Irranca-Davies.

[13] **Huw Irranca-Davies:** Thank you, Chair. Can I just ask you, first of all, to give us your simple, straightforward take on the resourcing for planning marine management within Wales? Give us your broad brush.

[14] **Mr Taylor:** Well, I think we could always do with more resources in Wales, but I think you do a lot with what you've got compared to England, for example, on marine planning. They have a team of about 35 to 40 planners, and I think Welsh Government has one or two or three people working on that as their core job. So, you do a lot with what you've got, I would say. I think one of the important things is to prioritise what you need your resources to deliver, and then you can allocate your resources accordingly. Certainly, on the marine protected area side of things, if we're talking about the management of marine protected areas, now that we're moving from the designation stage to actually making sure that they're effective, I would say one of the priorities for us should be working out what condition those sites are in—not just where the habitats and species are, but what condition they're in—and also what condition they should be in, as to whether they need to be recovered or not, or whether they're in a healthy state at the moment. I think that's knowledge that we don't yet have in Wales, or, necessarily, elsewhere. But that would be a really valuable and targeted use of resources in a way, because we can't simply ask for the entire Welsh marine area, especially with the extended powers that the Wales Act 2017 gives to manage conservation in the offshore zone as well. It's impractical and too expensive to ask for the world, but I think some sort of condition monitoring for MPAs would be one particular aspect that we would like to see.

[15] **Huw Irranca-Davies:** Gill.

[16] **Ms Bell:** It is quite simple, really. What we need is to know what the site condition is. We need to know what the features are, and we need to know whether they're in favourable conservation status. If they're not in favourable conservation status we need to know what impacts there are, why they're having these impacts and what we can do to mitigate against those.

[17] **Mark Reckless:** Gill, could I just ask you to speak up, please? It might be better if you were closer to the mic.

[18] **Ms Bell:** I apologise. I'll move my microphone forward a little bit. Is that better? Okay.

[19] So, as I was saying, what we need to do is look at the site features, see if they're in favourable conservation status, and if they're not, to then look at what impacts are causing them to not be in favourable conservation status, and then we'll have a list of priorities. In order to do that, though, we need some mechanisms to be able to deliver that, and we need very strong leadership on this. This is one of the things, in answer to Mark's previous question as well: we aren't really seeing the leadership that we need. We need to make sure that we have the appropriate resourcing. We also need to make sure that there's a delegation of responsibility. We have the regulating authority groups who are supposed to deliver the conservation objectives and to look at the management measures, but we need some more ownership of those, and we need some more accountability on those, because at the moment, there doesn't appear to be that.

[20] So, it's quite a straightforward process, but it's not actually being followed through, or actually the leadership isn't there, and the accountability isn't there.

[21] **Huw Irranca-Davies:** Okay. So, one of the things that would be of help to us is to get an idea of the scale of resource, the gap in resource that we're talking about. So, if we're looking at site condition surveying and so on, have you done any work, have you got any idea of what is the additional resource that would need to be put in either at a central Government level in terms of overall planning or at that site-specific level?

[22] **Ms Bell:** If I can start, if that's okay. So, we did get a question asked

recently with regard to how the budgets were allocated, and as I mentioned, marine is within agriculture and food, and there's £62 million allocated to that. How much of that is dedicated to marine, we don't know. We don't know how that's divided up. So, unfortunately, we don't know how much we would need, because currently we don't know what we've got. We do know that NRW are the only public service body with a big remit for marine, and yet we know that their budgets have been cut.

[23] What I would say—and I have to say that this is a Marine Conservation Society perspective rather than a Wales Environment Link perspective—is that we've looked at the best ways of how the sites can be managed, and the MPA steering group looked at this. We did a spatial scale analysis of what would be best and how we could best improve the marine protected areas. There was a consultation and everybody agreed that what we needed was an officer for each of the special areas of conservation and then they can be independent, they can work with the regulating authority groups, and they can also mediate between them and progress.

10:15

[24] We know that we have very few resources for them. If we could have £50,000 per special area of conservation officer, or European marine site officer, that would provide the funding to be able to have them well managed, to have the stakeholder engagement and to have what we need. That would allow us to have the officers. It wouldn't allow them to deliver anything, but at least if they had funding, then they'd have match funding to apply for to be able to deliver projects.

[25] **Huw Irranca-Davies:** Okay. Just to dig a tiny bit on this, Chair, if I can: that's quite helpful. Alec, can I ask, would you broadly agree that that one officer per SAC would help to at least fill the gap or fill the gap substantially?

[26] **Mr Taylor:** I think it would certainly fill the gap. I think there is a real need for a local presence when it comes to MPA management, and that really helps to provide the local ownership and support from stakeholders to come together around an MPA or set of MPAs. I think that is vital and that should be resourced. I think it was a bit of a failure that the funding for that was reduced.

[27] I would also make the wider, general point there, when we come to resources for marine, that actually, we talk a lot about investing in a

sustainable blue economy and harnessing the future of Wales's marine area in general. I think we really need to make sure that we also invest in the health of the underlying marine ecosystem, as a condition of exploiting that sustainable blue economy. That, perhaps, comes back into mainstreaming marine into other parts of Government thinking, and if other parts of Government see the marine as an opportunity for economic growth, then investment in MPAs is really a good investment, financially, as much as anything else, really.

[28] **Huw Irranca-Davies:** Chair, I know that Jayne wants to come in on this, but do you mind if I come back on one point there, after that?

[29] **Mark Reckless:** Yes. Shall we bring in Jayne and then Huw again and then Jenny?

[30] **Jayne Bryant:** I'm quite happy. I think you've answered the questions and particularly well, Huw's. The biggest issue that came up from the respondents to the consultation was about resources. I know that, from the 2013 report, that's something that significantly came up then. With Brexit looming, I think that these are significant challenges. You've given some really good examples for us to get our teeth into, I think, today.

[31] But I was just wondering if I could take you on, talking of Brexit. It's important that there is no loss of protection for Welsh MPAs following us leaving the EU. There were concerns from respondents to our consultation around enforcement and protections without the European Commission and the European Court of Justice, and I was just wondering what your views are on that.

[32] **Mr Taylor:** Yes, I want to come in on that. I would absolutely agree. I think that the power of the European designation process is not just the designation aspects; it's the monitoring requirements, it's the compliance requirements and it's ultimately the legal requirements that, actually, we can get good management of these sites. And so, I think we've always been quite clear in that, as you said, we don't want to lose any of the environmental protections and safeguards when the UK leaves the European Union as a result of that process. Because, ultimately, it sounds like an easy job, for example, to rebadge European sites as national marine protected areas, but there are subtle differences in the way that those sites are designated and managed. We have to recognise, also, that these European sites are the best examples of the habitats and species that we have in the UK and in Wales. We

must make sure that they are not weakened through the Brexit process.

[33] **Mark Reckless:** I'll just bring in Gill and then—

[34] **Ms Bell:** I do want to make the point that the Wales marine environment is so special. We do have over the average percentage of marine protected areas and that's going to increase with the new European designations and the new national designations. So, we are in a fantastic position to have something that's very valuable and could actually bring in resourcing and could bring in further—. I am detracting slightly from your question, but it brings in the fact that it's something that we should be proud of and we should be promoting. It shouldn't be that we need higher authority. Welsh Government should take responsibility not only from what is currently European legislation, but also domestic legislation. We need this resilient Wales. We certainly will have to consider how we will make sure that Welsh Government do deliver on what they have promised to do and how we will work through that is an issue without the European Court of Justice above, so I agree with Alec on that.

[35] **Mark Reckless:** If I can just clarify, Gill, when you say the Welsh Government should take responsibility for domestic legislation, do you mean specific Wales-only legislation, or are you also talking about UK legislation?

[36] **Ms Bell:** I'm talking about the well-being of future generations Act and the environment Act, yes.

[37] **Mark Reckless:** Thank you. Huw.

[38] **Huw Irranca-Davies:** I just want to throw about a little bit of challenge to you. If we accept the premise that there is a resource gap—and you've identified at least one area where that resource gap could be filled, and it doesn't seem like a huge amount of money—the challenge would be: why should it be for Welsh Government just to dip its hand in its pocket in times of austerity? Are there not different models out there where there are elements of cost recovery from all those people who exploit this marine resource, whether those are fisheries, pipelining, dredgers or whoever, or whether it's local government who are partners on the coastline? So, I just put down the challenge to you: £50,000 for an officer at special areas of conservations—we could go beyond that—well beyond that—if we were to say, 'Well this is a partnership approach. Welsh Government will contribute some, but we expect others also to contribute because they

are exploiting this valuable resource', as you phrased it. Alec, what are your thoughts?

[39] **Mr Taylor:** Absolutely. I know a lot of other places have full cost recovery through their marine licensing process, so they make sure that their process for managing seas are sustainable because people pay, as a condition of getting their licence, for the privilege of using the marine environment. I absolutely agree with you, Huw, I think there is a general—. We shouldn't be limiting our ambition in terms of what we want for marine, and I think there are creative ways and it shouldn't just be on Welsh Government to deliver this; we should all be working in partnership together. The WWF has a long experience of working in partnership, so has the Marine Conservation Society and other members of Wales Environment Link. We are ready to step up and help with that process as well.

[40] **Huw Irranca-Davies:** I can see Gill nodding, so I won't ask you the same question, but can I just ask you whether you could perhaps provide the committee, subsequently perhaps, with some best practice—perhaps even internationally on how that works, because there are different models and they do bring much more resource in by doing that partnership model.

[41] **Mr Taylor:** Absolutely, very happy to.

[42] **Ms Bell:** May I just add a point, though, Huw? Certainly, Alec has highlighted one of the key things that we want to get across is that we can get benefits, goods and services from the marine environment, but we are in a degraded state overall and we do need to allow for enhancement and recovery first of all. Where it has been allowed to happen, we have seen—there's a report called PISCO, which is fantastic, which shows that if you allow for good management, you get 250 per cent increase in biomass; you'll get, in density, 120 per cent increase; you get diversity, through the different types of animals, by almost 20 per cent, and the size of animals tends to increase by about 13 per cent, and bigger animals tend to produce more offspring. So, we know that there is the capacity for us to improve upon our marine environment if we just invest a little bit initially, and it will then—. We do want sustainable development, we are concerned that the three pillars of sustainable development are being focused on the economic side at the moment, and we need to make sure that it is balanced and we do have the repair and recovery and enhancement of the marine environment as a starting point, and then we can, you know—.

[43] I will just, if I may—sorry, if this is okay—highlight a couple of things that we have concerns about—the SoNaRR report, which you’re aware of, indicated that 50 per cent of the biodiversity action plan species are in decline. The habitats, mudflats, sandflats, reefs and important and sensitive habitats are also in decline. We also have a lack of marine evidence, and they said that there are more habitats that can be said to be have all the features required for resilience, which is one of the well-being of future generations—. But the key issue that they then identified in the SoNaRR for marine is that the benefits of the ecosystem services are not currently being optimised. That’s quite concerning to us, because that is then followed forward into the draft natural resource policy, in that they then say the benefits of marine national resources and we need to optimise their use. And yet, we haven’t taken that step back first to make sure that we have recovery and enhancement before we start optimising. We can do it. We’re realists, we know that we need to do that, but we need to make sure that the marine environment is resilient in order to do that.

[44] **Mark Reckless:** Thank you. Can I just quickly bring in David who has a point to make on resources as well?

[45] **David Melding:** Huw largely made it, but it’s clearly not a matter of resources because the resources you think are needed are so de minimis that it’s an issue of management, leadership and innovation, it seems to me, with the various stakeholders working together. Now, the future generations Act is supposed to make all relevant stakeholders identify their common objectives—and the wider social goals as well—and meet them. So, have you seen any evidence that the main players are at least looking—I know it’s early days, but at least looking—at the future generations Act as a way of ensuring this joint working takes place effectively?

[46] **Ms Bell:** That actually—

[47] **David Melding:** Because you have praised, both of you, the legislative framework.

[48] **Ms Bell:** We have, yes. I think this brings us on to another issue with regard to transparency. It’s difficult for us because we sit slightly on the outside. One of the key issues that we have is actually transparency within a lot of the things that are going on. This may seem like a sidestep but the marine protected areas steering group was set up in order to enable us to have a coherent and overall view of how marine protected areas are

managed, and yet that group has effectively had its hands tied because, although it made the recommendations that we had the seven special areas of conservation, and we had a consultation on it, they effectively have no resources in order to be able to implement that. They have effectively no resources to be able to do it. So, from our point of view, we're not able to attend any of those meetings. We can't see the minutes. We don't know what they—. So, they were set up in 2013—

[49] **David Melding:** Okay, so, at the minute, you don't see that poor model, which has ended in poor management, really—

[50] **Ms Bell:** We don't. So, it's difficult—. However, I will say—because you're specifically asking me—that we do have things that are going on, like assessing the impacts of Welsh fisheries, which the Welsh Government has undertaken. Is everybody aware of that, or should I just elaborate on that? Okay.

[51] **David Melding:** It's all right, I think we can—.

[52] **Mark Reckless:** [*Inaudible.*]

[53] **David Melding:** Yes, well, I think it's important that we establish that this is not, at heart, a resource issue. It is how agencies have worked together, and I think both witnesses have established that, and that the FGA is a potential way of doing this better, but, at the minute, it's work in progress—let's put it that way.

[54] **Ms Bell:** I was going to use that as an example because Welsh Government have looked at the impacts of fisheries, and then they've tasked Natural Resources Wales to develop habitat regulation assessments to look at those impacts. What happened in DEFRA was that, with any activities that were deemed as high risk, they then stopped those activities until the HRAs had taken place. Welsh Government haven't done that. What they've said is, 'We're looking at them'. So, we've known that these are high-risk activities, and they've been taking place for over a year. This goes back to the fact that not only is there not the European marine site officers, but, obviously, within the Welsh Government and within NRW, there aren't sufficient resources.

[55] **David Melding:** Yes, we're getting a bit circular now. The other thing I needed to confirm: that enforcement—. Obviously, the European court is the ultimate enforcer at the moment, but nearly every infringement or threat of

action is backed up by local courts. That's not going to change, is it, in terms of Brexit?

[56] **Mr Taylor:** Well, I think it will depend on whether you're talking about European sites as they are now, versus the national sites. I think we haven't really tested the enforcement of national marine protected areas in Wales, as such, through things like case law and the development of precedents and that sort of thing. So, we are quite new in that process. You're right to say that there is recourse—. There will be some sort of recourse nationally if marine protected areas aren't being well-managed, but the general accepted process by which the management of MPAs is held to account in general is largely off the back of precedents and case law set by the European Court of Justice. I think—

[57] **David Melding:** If WWF wanted to take action against one of the stakeholders, they wouldn't go to the European court in the first instance. That's my understanding, anyway.

[58] **Mr Taylor:** Well, we have done, yes.

[59] **David Melding:** You have—[*Inaudible.*]—the cases, potentially.

[60] **Mr Taylor:** We did. To give you an example, in 2012 we went directly to the European Commission over the UK Government's failure to designate special areas of conservation for harbour porpoise, and that was a direct approach to the European Court of Justice in that respect.

[61] **David Melding:** Okay.

[62] **Mark Reckless:** Is it your expectation that these ECJ judgments will become persuasive rather than binding post Brexit, or do you expect them to remain a binding precedent within the domestic system?

[63] **Mr Taylor:** Well, I hope that, whatever system of enforcement or accountability we decide, that huge body of experience and the case law that has been generated over decades, which has helped to clarify that, at least gets passed through to whatever system we develop in the future.

10:30

[64] **Mark Reckless:** Can I bring in Jenny, who's been waiting for a while?

Jenny.

[65] **Jenny Rathbone:** Given all that we've already spoken about in terms of the failure to co-ordinate and, therefore, resources not being targeted effectively, assuming we could resolve all those issues, what are your views on where we might be wanting to declare new marine protected areas? What would be your priority list?

[66] **Mr Taylor:** Well, very quickly, I think we first need to say we're almost there, I would say, in the completion of the network. So, there are still gaps in Wales. I think we have some gaps in offshore areas, maybe, perhaps, in the deeper areas, and maybe the less glamorous muds and sandy habitats that are needed to provide that representative aspect. So, I think we still have some work to go and, certainly, Wales is not alone in that respect. I think if we were able to achieve a coherent network across the UK, then there's further work to do across the board. We've made some very good progress, for example, designating harbour porpoise sites recently, also sites for sea birds. And we have, kind of—. I feel like we've been working so hard and we're almost there, which is why it's great that this committee's attention is now turning to management of those sites because, ultimately, we want them to be more than just paper parks. So, we have some gaps, as I mentioned—the muddy habitats, the offshore, the deeper habitats—so we are hopeful that those will be filled soon.

[67] **Jenny Rathbone:** I'll come to you—. Could those gaps be filled by extending existing zones, or is it coming back to the point that was made earlier about how you can't just lump all marine into one?

[68] **Mr Taylor:** Yes, there will be some new sites needed.

[69] **Jenny Rathbone:** Okay, but you're focused on those specific ones.

[70] **Ms Bell:** Obviously, we've got the new SACs, the new SPAs and the offshore areas. But also JNCC were tasked to look at national gaps. So, there are actually some new marine conservation zones because, at the moment, we only have the one remaining conservation zone in Skomer, and that's to look nationally, so that we can create our ecologically coherent network of marine protected areas. And so there will be new gaps identified in these, and as Alec has indicated, these may be in new areas, because although we say we have 128 marine protected areas, they're all local overlapping. They're protected for different things, because if you remember, each of the

sites are set up specifically to protect, usually, one feature, rather than looking at the ecosystem overall. So, although we are getting some new sites, and certainly, the new SACs and SPAs will expand that, and we need to look at the offshore, actually, within the inshore, most of those are sites within sites within sites.

[71] **Jenny Rathbone:** And is there a reasonable amount of agreement amongst the specialist community as to where these new additional sites should be?

[72] **Ms Bell:** It's a piece of work that we're commissioning at the moment. We're looking at the JNCC report that was produced. It used slightly different criteria to the ones that were used in England, so we're a little bit concerned about that. It brings us back to a point that we haven't really touched on yet, and that's with regard to evidence. There's very little marine evidence and so we do need to make sure that all decisions are based on the best available evidence, and if that evidence isn't there, then we need to take the precautionary principle. So, from a point of view—certainly, WWF and the Wildlife Trusts have produced reports about where they feel that this site should be and how these sites should be protected. There is general agreement, but it comes back to the fact that, at the moment, we don't have the resourcing and the leadership to manage the sites that we have. We're going to have all these new sites and we're getting the offshore and we need to have this coherent, strong leadership in order to be able to do that.

[73] **Jenny Rathbone:** Okay, that's very helpful. And just looking to post Brexit, what do you think are the opportunities and threats or risks around whatever new arrangements are put in place?

[74] **Mr Taylor:** Well, I guess we probably see it, from the environmental side, as a relatively dark cloud with maybe a silver lining—a few silver linings—on the outside. As I said, we've got a well-understood system of designating and managing MPAs at the moment, and that is related to a two-tier approach of designating the very best sites for their international importance as well as sites for their national or their Welsh importance. And the treatment of those is slightly different. So, as and when the UK leaves the European Union, I think we would want to make sure that, certainly when it comes to marine protection, we at least maintain and seek to enhance the opportunities for protection that the extra powers that come to the Welsh Government provide.

[75] **Jenny Rathbone:** In the context of the reviews that are going on in Europe on marine policy, do you think they are things that we should be following, or things that we should regard as risks? The fishing lobby doesn't go away.

[76] **Mr Taylor:** Fisheries is a real classic example where there is some serious thinking to be done about what future UK and Wales wants for its fishing industry, and for the environment that the fisheries use. Fisheries is quite a unique example; it's based on a policy rather than a directive in that respect, so it needs some action in place before we leave the European Union, to have a system in place that we can't just carry over in that respect.

[77] **Mark Reckless:** Jenny, do you mind if I bring in an ex-fisheries Minister, briefly, just before your final question? He's indicated enthusiastically.

[78] **Huw Irranca-Davies:** It's very much on that, Jenny. It's very much on that. I'm going to be the optimist here, and it may be a slightly unfair question if you don't know the legal, technical answer to this, but would you think that there is an opportunity here to do something different that could approximate more to the way that the Norwegians, for example, handle their fisheries? So, for data collection, those vessels that are out there are engaged in data collection. Whether it's the sea bed or species or what their catches are, they have a reference fleet, where you put scientists on board them, and they're obliged to put them on. Now, do you see that as—? Not necessarily the Norwegian model, but do you see some scope here—subject to deals with the EU, because we'll have to make that work—in Welsh fisheries actually saying, 'Any vessels that come within our waters, whether they're from Ireland or from Holland or from Belgium or our own, will need to contribute towards our scientific monitoring and evaluation'?

[79] **Mr Taylor:** Absolutely. I'm not an expert in the fisheries legislation, but if that could be done, I would absolutely support it. One of the things the WWF, for example, has been doing is trialling and investigating the use of remote electronic monitoring on fishing boats, to collect data remotely or without the need for active involvement by the fishermen themselves. Actually, fishermen often have the greatest knowledge of the environment that they use, and they could potentially supply some very useful environmental data, and it would be great to see more of that being built in as a requirement, or as a condition, of being able to fish in Welsh seas. I would absolutely support that.

[80] **Ms Bell:** And just very briefly, if you go back to the 'Striking the Balance' report that was written by the Welsh Fishermen's Association, they talk about co-management and the ability for them to be able to collect data. It would be useful to have IVMS on all fishing vessels in all of Welsh waters.

[81] **Mark Reckless:** Jenny, did you want to come back in?

[82] **Jenny Rathbone:** Yes. Just to ask you if you think that, were our Government to re-designate European marine sites as marine conservation zones, would there be any difference or concerns about the implications of that re-designation?

[83] **Mr Taylor:** We've already discussed the fact that the European designation and the management system is slightly different to the national system, so I think, in general, there is a higher burden of proof required—

[84] **Jenny Rathbone:** In a European—

[85] **Mr Taylor:** —in a European site, considering its importance. Aspects such as the precautionary principal are much more heavily embedded into the European system, and we also have, as I mentioned, the case law and all the experience to bear. Another thing I would also say is that when the national process was set up, it was specifically set up in order not to duplicate the European protections, and also as a way of complementing them. So, in some ways it would seek to protect habitats or species that may not be necessarily as important, but would be needed as part of this network.

[86] **Mark Reckless:** And when you say 'national', is that UK or Wales?

[87] **Mr Taylor:** Wales. Yes. So, each country would have a separate national marine protected area process, and so I think—

[88] **Jenny Rathbone:** So MCZs wouldn't do it, then. Because they're not—

[89] **Mr Taylor:** There would have to be a lot of thinking done, I would say, because one of the aspects, for example, in the marine conservation zone process is that you have to consider social and economic aspects in your designation. And, for European sites, it's just the scientific evidence that you should consider. So I would have concerns about simply re-badging European sites as national sites, because that would open up the opportunity

to potentially weaken the protections that we already have.

[90] **Jenny Rathbone:** That's very helpful.

[91] **Ms Bell:** And if could just add from a stakeholder point of view, you know, we've had these sites in place for a while. They're well understood, they're well accepted. All the stakeholders—all the developers—know what they have to do to then introduce new sites and have all these offshore sites. It just introduces a level of confusion and extra complexity. So we would very much be in favour of maintaining the protection that they currently have.

[92] **Jenny Rathbone:** So if the political will's there, we can just simply continue to designate them in this category.

[93] **Mark Reckless:** The witness is nodding, for the record.

[94] **Jenny Rathbone:** Thank you very much.

[95] **Mark Reckless:** Can I bring in Vikki?

[96] **Vikki Howells:** Thank you. You've talked already about the importance of accurately monitoring Welsh MPAs. I wondered if I could draw you both a little further on that topic, looking at the quality of evidence that's currently available. How good is that evidence? I know what you're going to say. And how does that affect the management of sites?

[97] **Ms Bell:** Okay. I highlighted before that even the SoNaRR indicated that there is a lack of marine evidence. It's very difficult to collect the data. Just to bring in the point that on terrestrial we tend to manage sites; we maintain them to be at a certain level for certain species to do something. We can't do that in the marine. All we do is manage the activities. The evidence that we have is piecemeal, and it's costly to collect, which is why we as ENGOs—the return on investment that you get from getting data from volunteers, and things like that, is very helpful for marine. The paucity of data is well accepted. Again, I'll come back to the fact that we should be going on an ecosystem-based approach. We should be using the precautionary principle until we know more about what's happening. As I've mentioned, assessing Welsh fisheries impact—they're looking at those impacts on all of the different habitats. And there is limited data there. Until we understand, at least to the best available evidence at the time, we need to be precautionary. And we need to allow for recovery and enhancement. And the focus on

environmental optimisation that's being demonstrated in the NRP and the SoNaRR is of concern, because we just don't just have the data in order to ensure that we will have a resilient marine ecosystem at the end of it.

[98] **Mr Taylor:** I agree with everything that Gill said. We are always striving for better evidence in the marine environment, and we may never get to a point where we think we've got it. And that shouldn't prevent us from making decisions about the way that we use marine space. In some ways that's not just an evidence discussion; that's also a political discussion—that's a societal discussion. And all the evidence in the world may not persuade you to do something to one extent or the other. I mentioned the need for better condition monitoring as a way of understanding whether our MPAs are in good condition or not, and how they should be improved. I think it's concerning in terms of looking at the direction of travel for funding monitoring, even basic baseline monitoring—the fact that we struggle even to get resources for the simple stuff that will tell us, for example, how our seabirds have been reacting to climate change over 30 or 40 years. We have really good long-term data sets, which are always under pressure from funding cuts. The evidence is literally the basis of decision making. And also better evidence allows us to be more interpretive in the way that we use the marine environment. And what I mean by that is, actually, if we don't collect marine evidence, then we will fall back on the precautionary principle at all times. Because that is the way that it should be done, you know.

[99] **Mark Reckless:** So do we only apply the precautionary principle where a risk has been identified, and then we don't have evidence? Or are you saying we should always apply the precautionary principle wherever there is no evidence?

10:45

[100] **Mr Taylor:** Well, the precautionary principle lies at one end of the spectrum, if you like. So, where there is a risk of harm to the marine environment or there is—

[101] **Mark Reckless:** So, there must be a risk of harm first. That's what I just wanted to understand.

[102] **Mr Taylor:** —then that should not prevent you taking action to stop that harm before it takes place. But the evidence—

[103] **Mark Reckless:** That's fine. I'm clear on that now. Vikki, did you want to come in again? Great.

[104] **Vikki Howells:** Huw has already given some suggestions about ways in which we could try and improve our evidence base, using fishing vessels for example, and I just wondered if you had any other ideas that you felt it would be useful for us to hear about how we could improve the evidence base. For example, would you consider that there might be a case for a marine science partnership in Wales, where we take all the universities that have been working so well on marine issues, and try and have an approach that marries all that together?

[105] **Ms Bell:** I think that would be a good idea. One of the things I didn't highlight before was the fact that, when we talk—when Jenny was asking before about the European marine sites—we have a duty to report on those. Previously they have been reported on the features that the sites were designated for, but the last reporting was on the overall site, so we don't actually have the evidence that demonstrates, you know, what each of the features look like. We need to continue to monitor the features within the sites. So, that is part of the evidence process and that is something we potentially could lose when we don't have this reporting Europe. So, I agree it would be great to get some sort of marine science—.

[106] I know that were pains to put together all the databases of all the different marine data and where it is. Something we touched on earlier about the marine licensing and marine planning is, you know, there's a lot of data out there that's collected by private individuals, but there are the confidentiality issues and it would be of great benefit to marine evidence data if we were allowed, as part of the planning process, to actually have access to that data. Whether that would be confidential within Welsh Government—but at least they would have all the information there to make the best informed decision, whereas currently they don't have access to that.

[107] **Mark Reckless:** Thank you. Can I bring in David Melding?

[108] **David Melding:** We've touched on some of this, but let's just return to it. It's really stakeholder involvement in shaping MPA management—I think you alluded to this in a previous answer, but how robust is the current model in terms of the stakeholders influencing and shaping MPA management?

[109] **Ms Bell:** I sit on several groups that include the stakeholders. I'll

reiterate the fact that I think that we need the European marine site officers as the local people who deal with the local issues and then they can feed up. Welsh Government do have the Wales marine strategic advisory group, which all of the marine stakeholders get together—we get together every six months. However, I do feel that there's an issue with transparency with regard to a lot of the stakeholder involvement. The key issue that I can find is that the minutes, any of the presentations—all of that is missing from Welsh Government. There is no paper trail, there is no accountability. We need those on the website. The resourcing to do that—the issue, I understand, is that all materials on Welsh Government website have to be translated and have to be bilingual, and that is the issue that I'm told is the reason why they can't put everything on the website.

[110] **David Melding:** That wouldn't be a sufficient reason. But it's useful that we've heard that that's what you've been told.

[111] **Ms Bell:** If you look at the marine strategic advisory group, only the previous minutes and agenda—. That group's been going—we need the previous papers, we need all the presentations, we need to see what was decided upon and the actions that were taken in order for there to be accountability. Again, I refer back to the MPA steering group; we have no idea what they've discussed.

[112] **David Melding:** Sorry. I'm not being rude, but you don't need to labour the point, because I think the committee will be very sympathetic with the points you've just made very eloquently. Is the RAG process any better—? For the record, that's 'relevant authority groups'—and anyone watching, you know—is that a more robust model in the way it involves stakeholders, at least? Also what sort of transparency is there, or is it a bit too informal? I don't know—your views would be useful.

[113] **Ms Bell:** Neither of us sit on a RAG. Obviously, you've got the European marine site officers next, so they're directly involved with them, so it's a good question for them. From our point of view, we know that the relevant authority groups have met with the MPA steering group. I think you do need that overall, national level, but you also need to bring in the local issues as well. From a stakeholder point of view, my concern again is back to the resourcing of the regulating authority groups and the fact that they don't have the accountability and the legislation and the power to be able to do some of the actions that they need to do.

[114] **Mark Reckless:** Can I bring in a final question to this panel from Sian?

[115] **Sian Gwenllian:** Sut fuasech chi'n disgrifio'r berthynas ar hyn o bryd rhwng y rhanddeiliaid yn yr ardaloedd gwarchoddedig morwrol? Rydych chi wedi sôn am ddiffyg tryloywder ynglŷn â'ch cysylltiad efo rhai rhanddeiliaid. Ond, beth am yn gyffredinol? Sut ydych chi'n teimlo y mae'r drafodaeth yn mynd a sut mae'r cyfathrebu yn digwydd rhwng yr holl randdeiliaid—pawb ynghlwm â'r gwaith?

Sian Gwenllian: How would you describe the relationship at present between the stakeholders in the MPAs? You've talked about a lack of transparency in terms of your relationship with some stakeholders. But, in general, how do you feel the discussion is proceeding and how is communication happening between the stakeholders—everyone who is involved in this work?

[116] **Mr Taylor:** I'm not as directly involved as Gill is in the Welsh process, but I think there is always an impressive level of stakeholder goodwill and input into marine management in Wales. Wales, I think, has an identity and a brand that is based on a high-quality marine environment, which I think stakeholders want to maintain.

[117] I think the previous marine-conservation-zone process was quite painful for a lot of stakeholders. I think maybe we've got a job to do to rebuild that trust. But as Gill mentioned, there's nothing that can be substituted for proper, local, on-the-ground collaboration and co-management to feel like stakeholders have a sense of ownership and a responsibility for the protected areas that they have in their backyards, basically.

[118] You can have all the best national policy in the world, but if it's not delivered locally then I don't think you're going to achieve your objectives. Similarly, you can have the best local set-up in the world, but if the national policy is contradicting it to some extent then I think you're also going to run into problems.

[119] So, as stakeholders and as NGOs, I like to think we represent the citizens of the countries where we operate. There is always a huge interest in our membership on marine issues. It's always one of the issues—. Obviously, MCS is a specific marine organisation, but for WWF, where our remit is much broader, marine is always one of the top issues that people really care passionately about. So, we all get involved in a lot of groups and a lot of

meetings—maybe more meetings than we care to remember or care to admit. So, maybe there's a way of streamlining some of that in terms of process, which the Welsh Government might want to look into. But, you have our basic goodwill and support as stakeholder communities.

[120] **Mark Reckless:** Gill, what's your view from the coalface?

[121] **Ms Bell:** I agree. Certainly, I meet with the fisherman, I meet with a lot of the stakeholders and there's a general goodwill. We all want sustainable development. We all want sustainable seafood. We all want a future. Overall, as Alec indicated, there's a general goodwill, it's just we need it to be more coherent and we need to make sure that there's strong leadership from Welsh Government and the resourcing to be able to have those stakeholders.

[122] One of the issues Alec alluded to is the fact that—. From an MCS point of view, what would be really useful is if we could actually get into a room and talk about these things. We used to be able to do that, but there isn't the resourcing to do that. The staff are too stressed and they're too busy to be able to sit and talk about the conservation issues. So, from an MCS point of view, what would be really useful is if we could have conservation groups, maybe three of them—north, mid and south Wales—where we get the relevant people together, the relevant authorities—NRW, Welsh Government—and just sit in a room and talk, because that's the way that decisions are made. If people feel that they are included in the decisions, then you have less need for the enforcement and people are more likely to agree with any of the management options that you go up to. It's just really capacity of not being able to do that that can sometimes cause friction.

[123] But I would also say that some of the consultations that Welsh Government have put out themselves have caused the issues, because if they had consulted with some people—. For instance, if I'd seen the questions with regard to the scallop fishery in Cardigan bay, I could have pointed out some things and some lack of clarity that would have improved the consultation. So, there is a need for greater collaboration and discussion, perhaps before these consultations go out. But I understand that there could be confidentiality issues because they need to consult with all parties to be able to do that.

[124] **Mark Reckless:** Thank you very, very much for your contribution, which will help inform our report. I declare a short break until 11.05 a.m..

[125] **Ms Bell:** Thank you.

[126] **Mr Taylor:** Thank you.

*Gohiriwyd y cyfarfod rhwng 10:55 ac 11:06.
The meeting adjourned between 10:55 and 11:06.*

**Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru—
Tystiolaeth Lafar gan Swyddogion Ardal Cadwraeth Arbennig
Inquiry into Marine Protected Areas in Wales—Oral Evidence from
Special Area of Conservation Officers**

[127] **Mark Reckless:** Good morning. We're now back in public session. Thank you very, very much for coming. Sue, in particular, thank you so much for everything you did for our visit to Pembrokeshire.

[128] **Ms Burton:** Oh, thank you. You're welcome.

[129] **Mark Reckless:** We were very fortunate to have you, with your length of experience and knowledge and contacts to make that session such a success for us. So, thank you. And Alison, welcome.

[130] **Ms Hargrave:** Thank you.

[131] **Mark Reckless:** We are, as you know, undertaking our marine inquiry. And if it's needed, translation from Welsh is available on channel 1 of your headsets. If I may, I just wonder if could start with an observation from the consultation responses we've taken in as a committee. One of the themes I've sort of picked up from those is at least a perceived lack of joined-up thinking, and arguably strategic direction, in the leadership of the Welsh marine protected area programme and management. Would that be a fair summary, and a criticism you would accept to a degree?

[132] **Ms Hargrave:** I think so. I would like to make the point that I think some positive progress has been made with the MPA management steering group. I know it's not always as transparent as it might be, but there are some positive discussions, and also some positive decisions as well. But we're at the stage where we really need these decisions to be implemented, and the lack of resources is really impeding that process. I would also say that there's a lack of joined-up approach in general, so I think of it in two

ways: one is the different drivers. So, whether it's marine biodiversity, MPA management or the water framework directive, they all seem to be working on their own, whereas there's a lot of commonality across the board really. And I think you could save quite a lot of resources by joining it up a little bit more.

[133] But, also, within MPA management itself, you've got all these different work streams, whether it's site-level reporting, monitoring or implementation, even down to the different relevant authorities as well, and they're not joined up enough. And I think, No. 1, you could save resources by joining up, and also, you're providing that unified front as well. You're demonstrating that you do agree. There's nothing worse than when you're presenting stakeholders with two separate viewpoints that don't necessarily match up. So, I think that's incredibly important. I would also say that, at a site level, we've got the relevant authority groups, which have been working quite well on the sites where they are. And as site officers, we've formed a group called GEMS, which is the Group of European Marine Site Officers, and we've been operating for quite a while to ensure that we share knowledge across sites and we try and take that pan-Wales perspective when we can. But I do think we would benefit more from that joined-up, unified approach.

[134] **Mark Reckless:** Sue, at the level of your relevant authority group, it struck us as being very, very joined up and well co-ordinated, but as a more general criticism of MPA management across Wales, do you think that that's fair?

[135] **Ms Burton:** Yes, I think there is, but I think what contributes to that is that, generally within Wales, there's quite a lack of marine expertise. We do have marine experts, but there's not that many of us, and I think that does have a knock-on effect on how joined up it can be. And, as Alison says, amongst our peer support group, which is the other European marine site officers, we've tried to network ourselves and share best practice and experience, and 'This is happening on my site, how have you dealt with it on yours?' And we generally know what each other's up to. But in terms of the overall strategic leadership, there's been lots of talk and several papers over the years looking at the state of the marine environment and what is needed, but there's still a lack of an overarching vision and an agreement on the framework about how we're all going to join up. So, how can local delivery best join up with national delivery, and how can we best interact for mutual benefit.

[136] **Mark Reckless:** I go to Huw Irranca-Davies.

[137] **Huw Irranca-Davies:** I want to drill down into the issue of resources, but before I do, on that very point, if I can just ask you: do you think there's a case here for doing some remapping of what's happening currently and what may happen as we transition to the new model, so that we streamline things so that we don't have exhaustion through over-consultation? We've probably got a super abundance of expertise in Wales, it's just that some of them aren't there in the field because their opportunities aren't there, and others are running around ragged doing lots of meetings. Do you think there's a case for mapping this out?

[138] **Ms Burton:** Yes, I do, and I think now is an opportune moment. Obviously, with the changes that are going to be afoot now with Brexit, then it's a good opportunity to have a good overview and a look-see.

[139] **Ms Hargrave:** A point on that, actually. It was a recommendation that I made to the MPA management steering group that I think we need to consolidate what we have. We need to learn from what we have and we need to build on it, and not to be duplicating effort. So, a process has begun where we've started mapping out all the elements needed for MPA management in Wales—who's doing what, at what level, what level of resourcing it has and, as well, where our priorities need to be, because if you don't have enough resources and you have all these different work streams, you need to decide where your resources are going to go and in what proportions. So, that process has begun.

[140] **Huw Irranca-Davies:** That's good to hear, and that clarity might actually identify where some resource can be better used and better targeted as well. But could you give me some idea what your feeling is right now as to the level of additional resource you're talking about and where it should be? Because we've been hearing some interesting things, but it would be helpful for the committee to understand nuts and bolts. What are we talking about here? What scale of human resource or other resource are we talking about?

[141] **Ms Burton:** I think you need to relate it to—. I've got some figures in mind from NRW's SoNaRR—'The State of Natural Resources Report'. For example, they're looking at the contribution of the marine and coastal environment, which is something like £6.8 billion. If you look at just fisheries as one aspect, that's still considerable, but that's £15 million. So, comparably, that's poles apart, but then if you look at the resource

particularly within Welsh Government at the marine and fisheries division, there are many more staff on the fisheries side than there are in the marine conservation area. There are quite a few marine expert staff within NRW, but, again, the capacity for them to be proactive in their work programme when they're having to be firefighting and dealing with casework, and other things, is still a problem.

[142] **Huw Irranca-Davies:** Do you have any idea of a comparison with what is happening in England? Of course, England is a much larger entity and there are different fisheries, and so on, but in terms of the marine focus of resource, either centrally within Government or out within the field, do you have any empirical or anecdotal knowledge of how we can pull our weight?

[143] **Ms Burton:** I know that back a long—. We still do liaise with equivalent people in England through our networks, and their resource has gone down quite considerably over the last few years. It's certainly not in the position it was, say, 10 years ago when we were in post. But I get the impression that it's building back up again. There are still officers that, when we first came into post over a decade ago, we are still in touch with, and some of them are still around. And those are the sites where you can see that there are still things happening. Actually, a paper has only just come out—I must forward it to you afterwards—in the publication *Nature* by Gill et al, and that's looked at multiple MPAs globally, and effectively linking with staff resource, and they came out with the conclusion that it was very clear that conservation benefit was 2.9 times greater in those areas where there was adequate staffing and budget, which is kind of common sense. You see that within Wales as well. You can see where—for example, Alison's full time, and lots of the other European marine site officers might be one day a week, or two days a week, so it's quite clear that, where you have more time and you have more budget available to you, you can get more things done.

11:15

[144] **Huw Irranca-Davies:** Okay. I know that Jayne wants to come in on this as well with issues, Chair, sorry, but my final question would be: if we could identify the level of resource that we need to get this really motoring the way we'd want to see it motoring, why should it all fall on the Welsh Government? Why? What proportion of it, then? Let me put it the other way: what proportion of it should fall on the Welsh Government? Because we had a debate here last week on the blue economy, and the exploitability of a sustainable marine resource. Well, on that basis, that exploitability, surely

other people should be chipping in as well, whether it's dredgers, port authorities, fisheries, or local authorities coterminous to the sea.

[145] **Ms Hargrave:** I think the first point I would say is that that's currently how the sites are funded. So, they're funded by contributions from relevant authorities. The biggest issue that we've come across is when NRW withdrew from core funding, and they're seen to be the main nature conservation body. All the other relevant authorities—so, Welsh Water, your local authorities—would then say, 'Well, does that indicate they're not assigning any importance to it?' So, it's almost that you need someone to take that first step. So, whatever proportion it might be, if, say, Welsh Government or Natural Resources Wales were to commit a certain proportion of funding, it shows a level of commitment and a level of priority assigned to the process, and I think there are also other methods as well, by raising awareness and the profile of marine protected areas. I feel that many people don't see them as an asset, and I think that's something that we can really work on. There are links to the tourism industry, there are links to so many other jobs, as Sue pointed out with how many billions it's worth to the local economy. So, I think that's something that we could really work on, and—

[146] **Huw Irranca-Davies:** So, are you saying to us, as a committee, that, if we were to say to Welsh Government, through NRW, 'You need to put that money back in and have, as has been suggested to us, one officer in every SAC, minimum, and perhaps more', whatever—are you saying, then, that that would lead to greater investment into marine activity? Perhaps it would bring in other people. You'd be able, through that core funding, to generate more activity, bring in more biologists, more marine scientists.

[147] **Ms Hargrave:** Absolutely. I think so. Just one project, just to give you an example of when you've got somebody in post and you've built that trust over a number of years: the local fishermen approached me up in the north and asked if I could lead on a project to do with local fishermen. We're going after some funds at the moment to do a crayfish restoration project, which has biodiversity benefits, but also, hopefully, will lead to a sustainable fishery again in the future, because we don't have a crayfish fishery at the moment. So, it just goes to show that, if you begin the process, and you start with some resources, I think you build on that, and you get a wide variety of people on board, including universities. We've just held an international conference with 200 scientists from all over the world, purely because of the work that we've done on site. So, yes, absolutely, I agree: with that initial injection, you get more.

[148] **Mr Burton:** The funding, especially over recent years, since funding, particularly from NRW, has dropped—we have had to go out to different pots of money, to different organisations, and fund projects that might not necessarily be the priorities that we'd want to see taken forward on our site, but, if it's the pot of money that's available, you need to chase it. But the point is that, if we had some core funding that just allows us to exist, we have proven the fact that we can go out and we can get added value, we can get extra money from extra things. I've been working on things with the port authority, I've been working on things with local fisheries, so we are able to access different pots of money and different funds from multiple sectors, but we need to not have to focus on existing in order to put our efforts into those different areas.

[149] **Mark Reckless:** Can I bring in Jayne on enforcement?

[150] **Jayne Bryant:** I think the biggest issue that the respondents said in this consultation has been resources. I think that came out clearly in the last report in 2013 as well. I know that you've given a few examples, but, just to build on what Huw said, are there any further examples that you think we could focus on or target those resources into, such as site officers or monitoring, or enforcement? Do you think there are specific areas to target?

[151] **Ms Burton:** Yes. Focusing on the framework so that you have your local delivery and you have your strategic support—so, making sure that the framework for delivery of marine management is in place, I think, is crucial, and making sure that that is linked very well to marine monitoring, because obviously it's expensive. But there's lots of information out there and, if it could be better joined up, if it could be better linked to things that are happening—. For example, things that we've had on our sites, if we're out there, we could be collecting information for use by something else, but you don't know that unless you know that somebody wants that information. So, I think, put funding into the framework. Monitoring does need more finance, as well, because there are data that are sitting there—really useful data that are sitting there—that just haven't got the funds to actually be analysed. So, that's such a waste at the moment.

[152] **Ms Hargrave:** I completely agree. I think that the framework needs to be sorted out. I think, by putting funds in, ultimately, you might save resources in the long run by making sure that your groundwork is solid. I also think that, from our experience, having officers locally on site—we're

talking about maybe seven sites across Wales and two of those are cross-border—is extremely important. You need people who know your site and you need to be able to understand the local issues. I think that’s extremely important when you come to interactive stakeholders, because, for this to be successful, you need your stakeholders on board. Without them, you’re not looking at long-term success. So, we’ve put a lot of effort in. I think, when you have this piecemeal, sporadic funding, each grant pot is asking for a new and innovative project, so you can’t build on what you’ve already done; you’re literally coming into a local community with an idea and a concept, you start it off and then you have to leave. So, I think your stakeholder engagement and the longevity of the work that you do is more likely, as I say, if you have that local level, as well.

[153] **Ms Burton:** I don’t want to always keep coming back to resource, but it is fundamental and it links all of these issues that we’re having. I know new money’s not going to suddenly appear, but there is money within Welsh Government, it can be redirected, it can be ring-fenced. Alison, you were saying about the single revenue grant—

[154] **Ms Hargrave:** As far as I’m aware, there are two parallel streams of funding within Welsh Government. So, you’ve got the single revenue funding going to local authorities and you’ve also got—I’m not sure I’ve got the name of it correctly, I’d have to look it up, but you’ve got the core funding. My thought was, because we’re not looking at—. When you compare it—. It’s a lot of money, but it’s not when you compare it to other things like building roads and that sort of thing. So, you’re looking at approximately £50,000 per site. I was wondering—I don’t know whether that’s feasible, to ring-fence some money within that pot. I think it’s worth exploring.

[155] **Ms Burton:** The problem I see sometimes—and it goes back to being joined up—is that marine is always shoved off to one side. Because marine is so all-encompassing—and this happens not just in Wales, but in other places—it’s often that we don’t quite know where people put it. Marine used to sit all on its own. Now, marine, in Welsh Government, is joined up with fisheries, which I think has been very helpful, but it still sits apart from environment; it comes within the agriculture, fisheries and food division. So, does that mean that people view marine as just being something to do with fish and nothing to do with environment and conservation and recreation and tourism? I think, when you see the budgets that environment and tourism have, it’s disproportionate. I know I would say that, I’m quite biased, but, when you see the figures that back up the fact that marine—. In Wales as

well, we have such a special marine environment and we have so much of it, surely we should be putting more resource to it, because it's fundamental to an awful lot of our prosperity.

[156] **Mark Reckless:** David.

[157] **David Melding:** You see, I don't think it is a resource issue—there is a lack of resource getting to where it needs to get to. I think that's an issue.

[158] **Ms Burton:** Yes.

[159] **David Melding:** But, even if—. You know, add up all the £50,000s, but it's still a relatively small amount. It's the strategic management decisions of the main agencies that are causing this problem, isn't it? NRW have told us they don't have enough resources, and then—. The biggest factor that's got you where you are, despite the last report, is that they have withdrawn their core funding. I think it does indicate weak management and a lack of innovation rather than simply being a resources issue for the public sector that we're not anywhere close to designating enough spending in this general area. It seems to me we are, but it's not getting where it needs to get to.

[160] **Ms Burton:** Yes, there needs to be some shuffling and more talk at the decision-making level.

[161] **Ms Hargrave:** I think this links back, as well, to having that—. I don't think there's an agreed vision as to where we want Wales to be, and I think, if there's an agreed approach, an agreed delivery mechanism, it's all well and good having it on paper and having it in yet another report, but it needs to be agreed high up in the organisations. Like you said, in NRW, they need to say, 'Right, this is a priority' and then it's up to those organisations where that funding goes, like you say.

[162] **David Melding:** Thank you.

[163] **Mark Reckless:** Jenny Rathbone.

[164] **Jenny Rathbone:** So, assuming that we establish our priorities, learning from the existing sites and consolidating our efforts, is there any need for the creation of new sites, or should we be focusing on the ones we've already got?

[165] **Ms Burton:** I think we should be putting the house in order before we invite in more guests, basically. I think we need to be sorting out what we have. That's not to say that there aren't possibly some gaps and some opportunities, but certainly we need to look at what we have and sort ourselves out, and make the most of what we have.

[166] **Jenny Rathbone:** Okay. What about in offshore, given that they'll get new powers under the Wales Act 2017 to be responsible for the areas offshore?

[167] **Ms Burton:** Offshore it's the same issue as with the cross-border, whether we're dealing cross-border with different nations or whether we're dealing offshore where we need to then deal with Joint Nature Conservation Committee, because it's not just Wales; it just compounds the whole joined-up stakeholder approach. It's the same issues, but it's just taking it out and out a level, as I see it.

[168] **Ms Hargrave:** I agree.

[169] **Jenny Rathbone:** In the context of how your work is or is not related to your European partners, or our European partners, what do you think of the risks and opportunities of Brexit, and how might it change the work you do?

[170] **Ms Hargrave:** I think, for me, the biggest risk is, at the moment, Welsh Government are held accountable by Europe if there are any infringements, and that's a real driver to making sure that your management is in order. Without that driver, they're having to take care of themselves so there's no stick, so to speak. So, that concerns me and that's—

[171] **Jenny Rathbone:** If we no longer can go to the European court.

[172] **Ms Hargrave:** Yes, so there have been a few incidents where the European courts have come in and said, 'Well, you're not doing this well enough', we have the six-yearly reporting round as well, so you have to make sure that you're up to scratch and that you're making some progress. So, without all of that, that concerns me. I don't want it to become stagnated and not moving forwards. I suppose, if we want to look on the bright side, it's an opportunity to have a look to see where the weaknesses are and to strengthen them. I would hate to see that legislation is dumbed down or weakened. I think it needs to be at least as good as what we have now, if not

better, and I think there's an opportunity, perhaps, to join up bits of legislation a bit better, and that would, hopefully, ease the ability of joined-up working.

[173] **Mark Reckless:** Jenny, are you okay if Huw comes in briefly at this point?

[174] **Huw Irranca-Davies:** I just wanted to follow up on an issue. It's something I hadn't twigged at all, the issue that every UK Government is fearful of facing major infringement proceedings and big penalty fines, and the embarrassment of it as well. It is the ultimate backstop. Yet, when we come out of the EU—whatever shape we come out in—we'll still need, I would have thought, to have to sign up to—. We signed up to various global agreements in terms of the high seas agreement and so on and so forth. Would your anticipation be that, regardless of pulling out of the EU, we should be—whether we'd want to or not, we should be signing up to some sort of European or even bigger accords on how we designate sea areas and protect and enforce within them?

11:30

[175] **Ms Hargrave:** There's a possibility. The marine environment is a global resource, at the end of the day, so that would make sense. We are signed up to things like OSPAR. The reporting round for OSPAR—it makes sense that maybe we shift that slightly to make it fit with the marine protected areas that we currently have so that there's still that obligation to report. But it's certainly an opportunity, I think. Just because we're leaving the EU, it doesn't mean to say you have to sever all ties. So, that comes down to whether you want to rebrand your current designations, or do you keep them the same so that it gives you the ability to work with European partners even though you're not in the EU. It also gives you that ability to compare and contrast as well, and learn across countries. And, yes, there's nothing prohibiting us from working with European partners, even if we're not in the EU.

[176] **Mark Reckless:** That fear of being hauled up before the European Court of Justice, in this case, will that in essence go because these other global European special treaties don't have that same supranational enforcement?

[177] **Ms Hargrave:** Absolutely.

[178] **Ms Burton:** I think it will, and that has been a real driver. The fear of infraction has been a real driver for marine conservation, rather than nature for its own sake and for other benefits. I think, from a purely site delivery level, it doesn't really matter what designation or what you call it, necessarily, because the issues on a site level are still the same. You're still going to be dealing with the same issues. You're still going to be dealing with water pollution issues and what have you. So, from that point of view, it doesn't matter whether you're in a marine conservation zone or a special area of conservation or whatever, but the main thing is, if it goes wrong, what is the comeback?

[179] **Jenny Rathbone:** So, if we don't have the European Court of Justice any longer to provide that spotlight and embarrassment for Governments, and we already have very poor enforcement arrangements in terms of the UK courts—a failure to enforce appropriate penalties that reflect the size of the infraction in value terms—we're in danger of just having an open invitation for people to ignore whatever regulations we put in.

[180] **Ms Burton:** I think, in terms of enforcement, there's your hard enforcement and your soft enforcement. Hard enforcement comes down to Welsh Government and marine enforcement officers. It's great to see that £5.8 million has been directed to some new enforcement vessels. So, that money has come from somewhere. I'm saying that's a good thing, but it's still a lot of money spent on enforcement, and it still needs to be continuous. But then you have what I call the soft enforcement, and that's when your local stakeholder involvement—getting people on your side, ensuring that people realise that this is why it's important, this is why you shouldn't do this here, this is why we would rather you go there, and also getting people to report in on sightings and things that they've seen—. I'm not saying that that should—. That shouldn't replace your hard enforcement, but there's got to be an awful lot to be said for that. Things like having fishermen who are out there all the time—they see an awful lot; they know an awful lot—just making sure that they are encompassed within the whole stakeholder feedback process, ensuring that we're all doing as much as we can.

[181] **Jenny Rathbone:** So, should we be moving towards the Norwegian situation, where they have these cameras on every boat and the enforcement officers can be a passenger on any boat that they choose to go on?

[182] **Ms Burton:** Yes. Maybe. The marine environment always suffers from being out of sight, out of mind, and that is a lot of our problem. So, the more

information we can gather, using multiple methods, I think we should make use of that.

[183] **David Melding:** There are sensors on all boats at the moment.

[184] **Jenny Rathbone:** But they're not real-time cameras, showing you what the catch is.

[185] **David Melding:** [*Inaudible.*]

[186] **Mark Reckless:** Do you mind? Without touting here, Huw is just trying to come in once more, I think, on this issue, Jenny.

[187] **Huw Irranca-Davies:** This is following up on the points that, Chair, you've raised and Jenny has raised. It seems to me this is actually of critical importance, this issue of the ability for a citizen to bring proceedings, because whether it's on air pollution with ClientEarth or whether it's on infringements to what we currently have as habitats directives or other directives, the ability of the citizen is key here. So, let me ask you, as people who are on the front line there: do you think it's an imperative that, as we take through this Brexit process, there has to be some seamless way in which the citizen of Wales—whether it's an organisation or an individual—is able to still challenge Government where they feel that there has been a breach of what may now be, at a UK framework, agreed levels? Because if we miss that, then talk about anti-democratic. Nobody's going to be able to challenge Government in the European courts anymore; they're going to have to be able to, on day one after that, take it to the Supreme Court in the UK.

[188] **Ms Hargrave:** I think it's vital, to be honest. A lot of the progress that has been made, like the new harbour porpoise sites, for example, is purely down to people reporting the issue. So, I think it's vital. I think it's incredibly important that, when we look at the legislation that underpins this coming out of the EU, and, like you said, the processes that are put in place, it's absolutely vital that they are done and that they are done quickly as well.

[189] **Mark Reckless:** Is it the nature of the European Court of Justice and its legal regime or is it the fact that the European Commission is bringing enforcement proceedings, such as, if someone thinks that it's not being done as it should, they go and persuade the European Commission, 'Oh, can you do something about this?', and the European Commission pays for it—is it that that we're losing such that we're needing a body that's prepared to fund

a judicial review to get this before the court, or is it the difference between what that judicial review would be in the High Court compared to what the Commission does in the ECJ? I know you're not lawyers, but do you have a feel at all for what the change would be?

[190] **Ms Burton:** I'm not sure I can answer that very well apart from just looking back at past experiences where there have been infraction proceedings brought, and it's then—. It could be Europe saying, 'Right, you need to put this in place. Perhaps we'll forget to sign some cheques until you sort this out.' So—yes, I don't think I can really comment further, really.

[191] **Mark Reckless:** Perhaps if we can ask our research team to do some more and feed into our inquiry, that would be helpful. If I can go back to Jenny to go back to her question—.

[192] **Jenny Rathbone:** Just, briefly, what are the risks of possibly having to abandon European marine sites or, regardless of whatever relationship we have with the European Union, do you envisage that we will be able to maintain these designated European marine sites, or what are the risks if they're redesignated into, say, marine conservation zones?

[193] **Ms Hargrave:** I think, for me, the biggest risk is we need to think back about how much time, effort and resources have gone in to managing the sites, especially where we have relevant authority groups and site officers on sites. For me, the stakeholder engagement element has been key. So, we've put a lot of effort, I know, on the site that I work on, into branding the site, getting it recognised with the local communities, even down to the name and all of the resources that we've produced, whether it's interpretation panels and educational materials. So, a lot of effort has gone into that, so I think we'd have to—. Like Sue said, I think the actual name of the designation when it comes to actual management might not matter so much, because the key issues will be the same, but I think when it comes to stakeholder involvement and engagement, and understanding the process, that's where we need to be really careful, and I wouldn't want to see any of the relationships that we've built up lost because of that. So, I think it would have to be quite delicately managed and we'd have to think it through properly, and I think we'd need justification as to why we were rebranding. There would have to be a real reason for rebranding. So, that would be my main concern, I think.

[194] **Jenny Rathbone:** So, why would we need to rebrand at all? Couldn't we

simply continue to regard them as European marine—?

[195] **Ms Hargrave:** Absolutely. I think there's a definite possibility of that.

[196] **Ms Burton:** I think—just a comment that there are far too many labels and it's just very confusing.

[197] **Jenny Rathbone:** Okay. I think we can all agree on that.

[198] **Mark Reckless:** I'm glad you find that as well, I thought you—
[*Inaudible.*]

[199] **Jenny Rathbone:** So, that will all be part of the consolidation and elimination of duplication, yes. Okay, thank you.

[200] **Mark Reckless:** Can I bring in Vikki Howells?

[201] **Vikki Howells:** Thank you. Surely, to manage our Welsh MPAs effectively, the first thing we need is a strong evidence base, yet so many respondents to our inquiry stated that that's a huge problem. What are your thoughts on that?

[202] **Ms Burton:** I think, as I said previously, there is a lot of information out there. It is difficult to get, but there is evidence out there. It's just making sure that you know where to go to get those data. NRW have a huge repository of information. Some of that information has yet to be worked up. Some of the data have been collected, and they're sitting there, and there isn't the capacity to analyse them properly. And I think there's a lot of information that sits in, say, some of the universities—some of the grey literature. There's an awful lot of very relevant, good information, but it just needs to be all brought together and tied together a bit better. It is difficult and costly to go out and get information in the marine environment, but it does happen. If there's a new development, then generally the developer will be asked to look carefully—in more detail—at that patch that they are potentially having an impact upon. I think the habitats directive is very heavy on data. Because the habitats directive is quite different to other legislation in that it's very much, 'You're guilty until you prove that you're innocent', it relies very heavily on providing lots of data, and I think that can be quite onerous. It's like that in order to incorporate the precautionary principle. But I think, in terms of data, we're never going to get all the data we want. You have to have an aspect of expert opinion in some cases, but there are a lot of

data elsewhere that are relevant; you just need to have the expertise in order to make sure that you know what's relevant and what isn't. Budget cuts on monitoring haven't helped. Alison.

[203] **Ms Hargrave:** I'd also suggest that NRW's monitoring programme, for example, is better integrated into MPA management. You can, there, with the lack of resources that they have, better target your monitoring to the areas that need to be monitored, and I think there are positive measures being made in the grant schemes as well. There's always a monitoring clause put into the grants now, which means that, if you undertake any project work, you have to monitor as well. I think that's quite key, but I think more needs to be done to work with whoever has the grant to develop that side of the monitoring, to make sure that it fits in and is useful for the overall monitoring programme. So, I think there's work that can be done. For example, I know that—as a specific example—with seagrass, that NRW use very specific monitoring techniques, whereas the universities use a different method, so the data aren't always compatible. I think there's definitely work to be done to try and make it more uniform across organisations.

[204] **Ms Burton:** We've got a good example in Skomer MCZ, and all the marine monitoring that they do there is quite pioneering work, but I don't think that is used to its full extent. The information's sitting there, and there's a long-term data set there, which—. For the marine environment, it's all about understanding—well, first of all, understanding the ecology of some of the creatures, but it's also understanding causal relationships between things, and, this human activity, how does that have an impact, or does it have an impact upon this community. And I think for that to be properly understood, you're never going to properly understand that until you can say, 'Right. This is an area where it certainly doesn't have that activity or anything else that we can really confuse things with.' You need to have some sort of control site, and it's only when you can have a control site that you can really start to have adequate data in order to pick out those proper causal relationships and then say, 'Right, we are much more confident now that we understand this, and we know that this isn't going to have the impact that we maybe thought it could', or 'This is going to have an impact'. So, I think, in terms of the evidence base, we need to ensure that, when we have a framework—earlier on, I was saying a framework of delivery and a framework of monitoring—we also have that framework of ensuring that we've put effort and resource in the right places to link things up properly and make sure we've got in place what we need in order to get to the information that we know we need.

[205] **Vikki Howells:** Yes, and, certainly with our previous set of witnesses, this idea of linking up evidence was something that we focused on in our line of questioning and that they agreed would be beneficial. So, for example, would you both agree that there could be a case for a marine science partnership in Wales, in order to try and bring the evidence base together?

[206] **Ms Hargrave:** I think that would be great. The universities do sit fairly separately, and I think there's absolutely a case for bringing those closer together and making sure that the work streams match up again, whether it's down to PhD students, MSc students, making sure that the work that they do has practical applications—. And I think there are also other sectors that you can look to, as well, for gathering data, but it just needs to be appropriate and quality controlled. If you make sure that that is assessed at the beginning, I think there's a large potential for that.

11:45

[207] **Vikki Howells:** Do you think fisheries could be another sector, such as the Norwegian model?

[208] **Ms Hargrave:** I do. I've worked specifically with a project with local fishermen, training them up on how to gather monitoring information, and it worked really well—there's a lot of goodwill from the local fishermen, especially up in the site where I work. I think we really need to make sure that the data analysis is considered alongside it, because it's one thing to collect data—it's a whole other aspect to analyse them. We're in quite a unique situation up in the north, where a couple of the fishermen do actually have marine biology degrees as well, so it's quite a useful situation to be in. But I think they need to be considered together, because just having a large repository of data is fairly useless, really—it needs to be analysed. I know, for example, that NRW are running behind, not because of the lack of intention or goodwill—it's the lack of resources to analyse the data. So, I think that's quite key.

[209] **Vikki Howells:** Thank you, I think that's a really important point.

[210] **Ms Burton:** We've often had, say, placement students, or PhD or MSc students who have come to partnerships to sort of say, 'Look, I'm interested in this', and we link up. But the problem is that, then, the PhD or the MSc finishes and, poof, they're gone, so it's, 'Oh, I knew somebody did some

work a couple of years ago on that—where's it gone?' If that could be better shared, that would be useful, I think.

[211] **Mark Reckless:** Can I bring in David Melding?

[212] **David Melding:** Thanks, Chair. I'd just like to talk about stakeholder involvement, particularly in shaping MPA management. You're in a good position to observe some of that, I think. How effective do you think it is?

[213] **Ms Hargrave:** Personally, I think stakeholder engagement and involvement in MPA management is vital. We don't have enough enforcement officers to police the whole of Welsh waters, so I think that if you can implement a project—for example, within a local community and within local interest groups—and it becomes self-sustaining, then you've got your policing system. So, it's how we work. Currently, we have the Wales marine strategic advisory group, so that's basically your Wales-level stakeholder group. We also have—on some sites, we have local liaison groups. So, I work on the Pen Llŷn a'r Sarnau site, and we've had a liaison group running for about 15 years. That's a very different entity to the WMSAG group, in that it's been going on for so long that trust has developed, so we no longer sit around a table each protecting our own interests. You have an active discussion, and the different members—whether they're fishermen, whether they're there for wildlife, or whether they're there for diving interests or tourism—all contribute to the discussion and they all help to implement the management scheme. They also help to write the management scheme for the site, which I thought was crucial.

[214] So, for me, it's absolutely essential—you need that local involvement. I think the WMSAG also has its place, because you need that national level as well, and it's about linking the two together. But, for me, stakeholder engagement is absolutely vital. Without it, I don't think many of our projects would be successful.

[215] **Ms Burton:** I think that collaborative approach does require a lot more effort, but, in the long term, it pays dividends. It's a way of working that we've always had to deal with, because, in the marine environment, there are so many multisectoral interests that it just necessitates that wide stakeholder approach anyway, regardless, if you want a successful outcome. I think, nowadays, with the well-being of future generations Act and the environment Act, which are very much—the goals are about collaborative working, partnership approaches and ensuring that culture and recreation—

all of the different elements—are considered. I think that that is what we have been doing, and I think we can certainly say, ‘Yes, that is the way to go’, certainly in marine.

[216] **Ms Hargrave:** We also drill down into—. So, we’ll have a liaison group, and then for each project that I run, I will have a separate stakeholder group for each of those. So, you really get the right people on board right from the beginning, and we get them on board from the concept stage. Everyone is sat around a table discussing the ideas and discussing solutions, so they’re there for the hard discussions but also there for the solutions and the implementation. I think it’s working quite well, and because we’ve done that, that led the local fishing industry, for example, to approach us saying, ‘Well, we think that the way that you work is a good way of working with stakeholders.’ So, consequently, we now manage a fisheries project at the request of the local fishing industry, and I think that goes to show how much value the local stakeholders place on that sort of process, and the ability to help, essentially, co-manage a site.

[217] **Ms Burton:** And the fact that we are not sort of employees of NRW, say—the fact that we are neutral really helps when dealing with stakeholders. I know, for certainty, that some of the projects that I’ve been involved in wouldn’t have happened if I hadn’t have been in that neutral position, and that is very helpful in dealing with stakeholders who might not necessarily feel comfortable dealing directly with one of the managing authorities.

[218] **David Melding:** We’ve heard from an earlier witness that MPA management is particularly weak when it comes to transparency and accountability. Would you say that’s a fair criticism?

[219] **Ms Hargrave:** I would say that’s probably fair criticism, at the national level. At the local level, we try and be as transparent as possible, so we hold numerous open days with all of the information that we’ve gathered to date. We try and include them in every step of the way. We try and publish minutes on the website, and that sort of thing. So, we try and be as open as possible. We also get the relevant authorities and the liaison group. They meet together to make sure that that conversation is had with the the right people. So, I think at a local level, it’s a lot more transparent. We have a—

[220] **David Melding:** And if we get on to the local level—how consistent is that across Wales? Because I suspect that you are two outstanding officers, to be frank, and I just wonder if—. The other relevant authority groups and so

forth may suffer from not having a full-time office—I realise that. That can involve time. But how would you say that local engagement is across the country? Is your best practice common practice, or are there challenges there?

[221] **Ms Hargrave:** I think it depends whether there's a relevant authorities group in place, to start with. It depends whether there's an officer in place. It depends how many days a week that officer works. That's where you see the amount of resources having a real impact.

[222] **Ms Burton:** What I would say is that, when I was full-time, I was quite good at putting minutes on the website—you know, things like that have slipped. But because everybody tends to know everybody, especially when you're in sort of quite a rural area as well, you tend to know all the characters in the different sectors, and they know you. So, I know that I'm known as a focal point, and I know that everybody, if they want to see minutes of meetings—they know they just need to come to me or give me a call and say, 'Can I see this?' Because we've been around for a while, there's that consistency there that we know the stakeholders generally, and that they know that they can approach us. I regularly have people call me up who might not necessarily—it might be more applicable for them to go and speak directly to NRW, and I tell them that, but because they can get through to me, and they know that they just want a quick sort of, 'Can you tell me who I need to speak to for this?' or 'Where do I need to go for that?'—. As a focal point, you have to facilitate all of that sort of stakeholder engagement.

[223] **David Melding:** Thank you.

[224] **Mark Reckless:** Can I bring in Sian for the final question?

[225] **Sian Gwenllian:** Diolch. I **Sian Gwenllian:** Thank you. Following symud ymlaen ychydig bach o'r on from that point about pwynt ynglŷn ag ymgysylltu, mae engagement, there's enough yna ddigon o dystiolaeth i ddangos evidence to show that things do work bod pethau yn gweithio'n dda iawn very well in the two areas that you yn y ddwy ardal rydych chi'n eu represent. And this question about cynrychioli. Ac mae'r cwestiwn ynglŷn whether this is consistent across ag a ydy hynny'n gyson ar draws Wales is a relevant one, I think. But Cymru yn un perthnasol, rydw i'n what about the general relationship meddwl. Ond beth am y berthynas yn across Wales now within the marine gyffredinol rŵan yng Nghymru o sector? There have been tensions in

fewn y sector morwrol? Mae yna the past—are things better now? And
 densiynau wedi bod yn y gorffennol— do you have suggestions about how
 a ydy pethau'n well rŵan? Ac a oes to continue that improvement at a
 gennyich chi awgrymiadau ar sut i more national level?
 barhau efo'r gwella yna ar lefel mwy
 cenedlaethol?

[226] **Ms Hargrave:** Fe wnaif i ateb yn **Ms Hargrave:** I'll answer in English, if
 Saesneg, os ydy hynny'n iawn. that's okay.

[227] I think it's a very important question. I think, like we've said, we've
 seen discrepancies between sites. So, for example, Menai straits and Conwy
 bay hasn't got an active relevant authorities group, so the stakeholder
 involvement and engagement is probably minimal. So, you don't see the
 active project work as you might see in other sites. I think you can use what
 happens on the active sites as models for other sites. I mean, we've
 attempted to do this now by trying to work on a more area-based approach.
 As there's no officers on the Menai straits after Conwy bay, we've been
 extending our remit a little bit and starting to engage. It can be a slow
 process, but you build upon it. I think you can definitely use what's currently
 happening as building blocks for the other areas—definitely. And I think by
 having this overarching WMSAG group as well—they're aware of the local
 groups, and that's another way of accessing the local groups in other areas
 as well. I think we've got a bit of work to link the two up. At the moment, I
 think, with the stakeholders especially, the national and local are fairly
 separated. You do have some links but not too much. For me, I would look at
 the sites where it's working and, if possible, try to replicate that.

[228] **Mark Reckless:** Good. Are all Members okay with that? Witnesses,
 thank you very, very much indeed. We really appreciate your input both today
 and, as I said before, in Pembrokeshire. Thank you. Could we call in Jim
 Evans from the fishermen's association, do you think?

11:56

**Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru:
 Tystiolaeth Lafar gan y Diwydiant
 Inquiry into Marine Protected Areas in Wales: Oral Evidence from
 Industry**

[229] **Mark Reckless:** Welcome to our proceedings. I'm very pleased to see

you, Jim. We've heard quite a lot from environmental groups in our inquiry so far. We are looking at marine protected areas in general, looking at the new regime for Wales and the marine plan, and relatively high-level issues and a lot of Government and other actors and how they interrelate. We've tried to look at the scalloping decision in Cardigan bay—almost as a sort of case study as to what considerations might be applied and how the new regime could impact on that type of decision, but it's as an example for what we're doing overall. One thing I'm very conscious of—we've had quite a number of non-governmental organisations, quite a number of environmental groups and evidence presented to us from people who are concerned about scallop fishing and worried about damage to the sea bed and emphasising the degree of time it may take to recover. I did want to just have a chance to put you on record as to the potential advantages, the income, the economic impacts, what it means to the fishermen concerned. If I could perhaps just ask you to tell us, perhaps, a bit about the case for scalloping in Cardigan bay as you see it—would that be something you have some thoughts on you would want to share with us?

[230] **Mr Evans:** Okay, thank you, Chair. First of all, to introduce myself. I'm Jim Evans. I'm here on behalf of the Welsh Fishermen's Association. I have to make it clear that I'm not an academic, I'm not a scientist and I'm certainly not a lawyer, and you seem to need all these skills these days with all the different types of designations and complications, but hopefully I'll answer all your questions as honestly and as—to the best of my ability, anyway.

[231] In relation to your first question, I think that was more focused on the economics or how you could develop that side of, particularly, a scallop fishery, the case there—

[232] **Mark Reckless:** I just don't know how much the scallop fishers, how much would they earn from it—just some sort of basic things like that. What's the scale of it and what's the impact for those who are benefitting from that activity? How important is it to you and then—?

[233] **Mr Evans:** I think that depends on which years you've looked at. I think more recently, in 2015 I think it was worth in the region of about £1.5 million.

[234] **Mark Reckless:** Right.

[235] **Mr Evans:** That's not precise, but that's a guesstimate. What I would

say is that, obviously, the scallop question wasn't within any of the material that we submitted evidence against and if you've any specific questions on that, I'm more than happy to answer those in detail separately. So, I'm not particularly prepared for that, but having said that, I'm more than happy to—

[236] **Mark Reckless:** I certainly would welcome written evidence on that as well because it's just one thing I, at least, felt was missing from the evidence base—

12:00

[237] **Mr Evans:** Rather than throw things at you that might be inaccurate, I'd rather provide you with some more robust detail, if that's okay.

[238] **Mark Reckless:** Yes, if I could ask you to help with the inquiry perhaps by giving us that on a written basis in terms of the fishermen's perspective on why they want to do the scalloping and what it involves for those concerned. On a sort of high-level issue, and I know there are great complexities about how these different acronyms inter-relate and the different regulatory regimes that apply to different zones, and that the committee is on a learning curve on those issues, I wonder if you could share with us your general perception about the marine management around Wales. How well co-ordinated is it? Are you clear what the strategic intention is of the Welsh Government and does it knit together sensibly or not, as many of our witnesses to our consultation have said?

[239] **Mr Evans:** I think there is an opportunity to, perhaps, bring things together in a more holistic way. Historically, this was an issue that was brought up in a previous committee—in a previous Assembly, rather—and this was looking at, or discussing, at that time two portfolios that were separated from each other. I think Alun Davies was Minister for the environment at that point and I think it was following some recommendations from the committee at that time that they brought those two departments together. I think that's created some improvements, clearly, but there are still further improvements to be made. I know that it'll probably come up later, but, obviously, Brexit and some of the issues around there perhaps provide an opportunity to create that framework where things are more holistically considered.

[240] **Mark Reckless:** Do you think there is enough resourcing for marine management around Wales?

[241] **Mr Evans:** To be honest, I'd have to say 'no'. Well, interestingly, just to give you an example, I don't know whether Members have seen this kind of information, and unfortunately I only have it in hard copy, but I think I can get this digitally and I'll pass that on electronically to the clerk, if that's okay. It does give a visual and I'm happy to pass this round. It does give a visual idea of the extent of the designations in Wales, certainly in the marine area. Obviously, there are the offshore areas that were identified under the MCZ process that have yet to be designated and I think that was due to issues around the Wales Bill and powers that were previously UK powers.

[242] **Mark Reckless:** Yes.

[243] **Mr Evans:** I'm not sure whether they are Welsh Government's powers now and if that's the case—.

[244] **Mark Reckless:** They're coming to us. We've had Royal Assent for the Act, but I don't think those particular ones have been commenced. They will be in April next year.

[245] **Mr Evans:** Right, okay. But what it does do, in terms of your question, which I think was talking about resources, this large hatched area here and the additional special protection areas—. I can give you some statistics on this actually, if you bear with me a second, but we've actually—.

[246] **Mark Reckless:** Are you ready to pass the map round now, Jim? Shall I ask Annette to pass that round and you can talk to us about the statistics?

[247] **Mr Evans:** Certainly. I was up until fairly late making frantic notes. I do apologise. I just want to make sure that I give you the right figures.

[248] **Mark Reckless:** That's something Members will sympathise with in terms of our contributions in the Chamber and our speeches that we make outside this place as well.

[249] **Mr Evans:** Here we are, sorry. In terms of the areas, and this has a bearing on resources, I'm making a comparison between land and marine because obviously special area of conservation designations apply in each of those areas. So, for the land, we've got a total of 20,782 sq km, and of that land we've got 1,478 sq km that are designated, either SAC or SPA. In the marine area, currently within our territorial waters we've got 5,592 sq km.

What we've had recently with the approval by the Cabinet Secretary for the introduction of the proposed new SACs for the harbour porpoise, increases now the overall level to 18,081 sq km. We have, if you can picture this as well, in the Welsh marine area between 0 and 12 miles, which is our territorial waters, that's 15,000 sq km, and the Welsh marine area or the Welsh zone is just over 30,000 sq km. So, when you sort of consider it, that's pretty much two thirds of our Welsh zone that's designated. With that then follows all these resource issues.

[250] Clearly, as those become further and further away from the shore, they become more and more expensive and perhaps difficult to control and monitor. So, I would say, to answer your question, if the resources don't follow to support those designations, from whatever the source may be, whether that's Europe or the UK, then clearly that's going to create pressures.

[251] **Mark Reckless:** And for that resource, what is the right split between taxpayer money and contributions from those who benefit from the marine environment and exploiting it, including the members you represent?

[252] **Mr Evans:** You're right to point that out. Again, in terms of, I suppose, social licence and responsibility, there are discussions going on in that direction now, which are slightly longer term and clearly relevant perhaps in the context of MPAs.

[253] You could, potentially, spatially manage fisheries. We have technology that's being developed now that enables you to do that, but we need the legislation to be able to keep pace with that. That's the difficulty: getting something new to fit into something old. It's a fairly long-winded process to make those changes.

[254] Longer term, I think there is an ambition. It makes a lot of sense to look at different fisheries, possibly spatially, maybe on a wider basis, but you can define an area and potentially issue permits against that fishery under a statutory instrument or in a schedule to a statutory instrument, which could potentially have an administrative cost in there.

[255] These are discussions that we're having. It'll be one of the discussions that's part of the ongoing scallop task and finish group at the moment. So, that is something that's being considered and I think that would be helpful, but it doesn't fix the resource issues that you've got now.

[256] **Mark Reckless:** Yes. The enforcement in particular—is that something that should be charged back to those who are enforced against?

[257] **Mr Evans:** I think the issue there is that where, historically, there have been successful prosecutions, I understand that the money goes to the Treasury and not to the Welsh Government. That might be a significant change that would help.

[258] **Mark Reckless:** Thank you for that proposal. One other area where we have had suggestions is—it's pretty expensive to gather data in a marine environment, and we have academics who perhaps have to fund the cost of the boat and all the maintenance and logistics around that, which may not make it possible or they won't be able to gather as much evidence. Would you see scope perhaps for greater co-operation between fisherman and their vessels and the academic community?

[259] **Mr Evans:** Absolutely. This committee perhaps may not be aware of it, but in the previous Assembly term, there was the issue around the contention around highly protected marine conservation zones. We produced an alternative approach to that, called 'Striking the Balance'. Within that, we identified quite clearly how fishermen could take or play an active part with, obviously, their local ecological knowledge.

[260] What we've done is take that a stage further. In fact, we've trained a number of fishermen, with the assistance of Swansea University, to undertake marine ecological surveys—intertidal and subtidal. So, a very basic module, but the aim was—. We did this years ago. The aim was to establish what would be—. Because obviously you've got these qualitative issues. So, rather than saying to a fisherman, 'Can you go and undertake this work?', there would need to be some sort of qualification that sat behind that, to qualify that work that was produced.

[261] So, we basically started with that module, with the intention then of establishing what the baseline or benchmark should be in terms of qualification. Then, once we'd identified that, the intention was to at least establish suitably qualified individuals to facilitate the sentinel fleet, if you like.

[262] Now, in the shorter term, these platforms of training don't have to develop any further than they have at the moment, but in the shorter term,

what you can do is you can use observers. So, for example, if NRW had any monitoring work, they could potentially use fishermen's boat vessels. They are obviously experts in their areas. They know the tides, the currents, the sea state and everything else. They can probably be far more—. And they're obviously available far more regularly than, perhaps, other access or means to get to these areas. So, yes, there are potentially I think in Wales, something like nearly 417 scientific platforms. So, there's huge potential there. And, like I say, if you were going to start, you could start with an observer programme, with specific, or specified work that needed to be done, and beyond that then, you could develop that process and the skills and assets that are necessary to go along with that.

[263] What the WFA has done as well, to progress that slightly, aside from doing the qualifications, we've also got the side-scan sonar equipment, which is, again, another important tool for identifying sea bed habitats, and we've also got what they call a camera sled, which has an umbilical—. You'll tow that behind the vessel on the sea bed. It has an umbilical cord and a screen in the vessel, and you can actually take surveys of the sea bed in certain areas. And it can act as a drop-down camera as well, taking stills. So, we've kind of developed that, but it seems as though there are so many different interests, as you've no doubt already heard. Everybody has a different opinion about what should be happening, where it should be happening, what the quality of the evidence is, and what the evidence base is. So, you never really move on to the actual doing. So, that has kind of—.

[264] As far as we've got at the moment is that we've got some basic assets. We've got all of these platforms. We've trained people. All the fishermen already have the necessary training, through the Maritime and Coastguard Agency and such, to enable people to access their vessels. We're already talking to one or two non-governmental organisations informally, namely the Whale and Dolphin Conservation Society representative. We've discussed informally the potential of using fishermen, or perhaps having access to their vessels, to be able to do some cetacean monitoring and things like this. The momentum is there. The ambition and the desire to do that is there, and that's something I hope that could be considered and incorporated as we move on.

[265] **Mark Reckless:** So, more doing and more momentum, and I think that the committee will consider perhaps what we can contribute in that area. Can I turn to Jenny about some of these different zones and areas and the impact of leaving the EU?

[266] **Jenny Rathbone:** I wondered if you think, given the limitation on resources, although they could possibly be better organised, do you think that we should be looking to designate new MPZ sites?

[267] **Mr Evans:** I know that's a duty, and I think that we're signed up to a UK commitment on that, because those are designations that fall under the Marine and Coastal Access Act 2009, and obviously tranche 1 and 2 have been implemented. Tranche 3 is shortly to follow, and think that leaves us then. So, in terms of network requirements, we probably will have to consider that. Whether it's the same as are identified there or not is another thing.

[268] **Jenny Rathbone:** Okay. So, it's unclear at the moment which ones will be obliged to continue, assuming we wish to maintain our obligations, or whether there's new ones we ought to be considering.

[269] **Mr Evans:** Well, I think, to kind of take a step back from that, in considering the amount of designations that we've already got, and the basis for your inquiry, I think it would be more helpful to fix, and identify—and be clear about the identification—what the problems are, where they are, and how they can be resolved. Is that a resource issue, financial, human? And as we described on the evidence collection, there may be other ways in which we can address those collectively. And I think, historically, what we've found is that there are so many interest groups—understandably, because a lot of different activities take place in the sea—but if those resources could be used in a joined-up way, then we'd be seeing significant differences. I think what we've historically seen is polar opposite views with resistance to meet in the middle, and it's only in the middle that you find a solution. So, I think if we could have that discussion, then the resource issue becomes better because these organisations can access other resources—small amounts of resources—that ultimately create a much bigger difference, and perhaps not such a burden on the public purse.

12:15

[270] **Jenny Rathbone:** Okay. Obviously, one of the confusions is the multiplicity of different types of zones. What would be the risks or strengths of transferring existing European marine sites and re-designating them as marine conservation zones?

[271] **Mr Evans:** I've thought about this. I don't profess to be an expert

knowing all the legal ins and outs of this, but the distinct difference between MCZs and European marine sites is that SACs can only be designated based on scientific evidence—they don't consider the socioeconomic—whereas MCZs specifically do. And I know that, obviously, with European designations, you have all sorts of other scrutiny and pressures to make sure that your monitoring, reporting, controls and enforcement are all in accordance with statutory obligations, and there are courts and legal processes to ensure that happens. So, it depends on what your view is. I don't necessarily take the view that establishing areas just to create a legal framework so that people can examine and redefine a law and present that in a way that perhaps becomes more exclusive is helpful. It certainly doesn't engage everybody, and given the challenges in the marine environment, you need to engage stakeholders. You need to be taking them with you on a journey, rather than dragging them behind, and I think that's particularly important here.

[272] If your question was more to the point of, 'Would environmental protections remain in place whilst we're in this post-2019 situation?' then I suspect that the great repeal Bill will initially—. I don't think the environmental legislation will be affected initially. It will probably be one of the more straightforward ones to roll over, but I'm sure you'll be aware that there's something in the region of, I think, 5,400 pieces of European environmental and fisheries legislation that applies directly in Wales and, obviously, all of that needs to be considered. A lot will roll over. One of the key things that won't is the CFP, and that is again coming back to your control and enforcement issues, and I think the UK and the devolved administrations will have to look at replacing that framework within that two-year period. That has to be a priority within this two-year period, because if that isn't in place or if there isn't something that's there that's robust enough to replace the CFP, then technically the mechanisms that manage all of the other member states, as well as any other vessels—there's no regulation in place to do that or to achieve that. So, then, we could be in a worse state and at a higher risk in terms of environmental impacts.

[273] So, I think, yes, it's important to consider the long term, and I think if you were making a change, the powers are there within MCZs. You might look to incorporate all your designations under one brand to make it far easier for everyone to understand, but primarily I think that's a fairly sensible way. The only difference between that is, I guess, the two that I forgot to mention: European designations are at the scale of the member state territories, whereas MCZs would be under UK jurisdiction waters. So, there

might be a slight difference there. But, obviously, what we do here would talk to what our neighbours are doing the other side of those artificial boundaries.

[274] **Mark Reckless:** Do you mind if I just come in briefly to Jim here? On the issue of historic rights for fishing, where we've had other EU countries fishing in our waters, is the validity of the future position of those affected one way or the other by the legal decision we take over the next two years as to whether we do as you propose or whether we try and carry over CFP issues temporarily into domestic law? Would doing that give more validity and defensibility to those historic rights?

[275] **Mr Evans:** I think at the end of the day, yes, we're going to be in a very different position. Going into the EU, it was the UK Government entering into an arrangement with Europe; now we're devolved, and we're coming out. So, Wales will have, certainly in its own economic area, perhaps very different responsibilities and maybe Welsh laws that have to apply in those areas. Those all need to be considered—how we address those.

[276] But to answer your question about historic rights—

[277] **Mark Reckless:** The 200 mile thing came in while we were in the EU. That's when the regime changed.

[278] **Mr Evans:** Well, with historic rights, actually, there is a bit of an anomaly there, and it's something that needs to be actioned now, at the same time as triggering article 50. It's a provision that was superseded by EU law under the CFP. The 1964 London convention provides exclusively for that historic rights access, which is within our 6 to 12 miles. That applies I think, in our Welsh waters, to France, Belgium and Ireland. There may be one or two more, but that is essentially the member state access that I'm aware of, at the moment anyway. So, to answer that question, yes, we'd need to—. And there's a two-year notice period to repeal that 1964 convention, so we'd need to trigger the two at the same time for that to be a clear devolved or exclusive sort of power.

[279] **Mark Reckless:** And we haven't. We didn't trigger that yesterday with article 50, as far as I know.

[280] **Mr Evans:** Well, there were articles in the press last Friday and over the weekend that were suggesting that that decision had been made, but it's not

been confirmed by Westminster.

[281] **Mark Reckless:** Maybe, then, I'll ask our researchers to follow up with you, or perhaps ask your good offices to direct us in the appropriate direction. Can I just return to Jenny?

[282] **Jenny Rathbone:** In terms of your members, do you think that some fishing businesses think that leaving the EU is going to be an opportunity for a free for all?

[283] **Mr Evans:** No—

[284] **Jenny Rathbone:** So everybody's understanding that—

[285] **Mr Evans:** I think this is a widely spread misconception. We've worked hard over the years to try and—. Because there's always been this—I don't think there's been a very good understanding. Generally, fishing is portrayed as the worst possible example you could find anywhere in the world and that applies everywhere. It doesn't. In Wales, we've got a small-scale fleet, as I mentioned earlier. We've got 417 vessels and out of those, 31 of those vessels are over 10m. Everything else is under 10m. They're very small-scale vessels, very weather dependent, largely seasonal in some cases, because some are more focused on specific fisheries that are seasonal only. So, in terms of their impact, they're largely passive gears, largely potting, netting and lining, so, low-impact fisheries. This misconception is as though it's 'Throw free the shackles and help yourself'—that isn't the case. We've tried hard to present ourselves as credible; not lobbying for change, but we've been trying to identify and understand problems from a process point of view, from the Government's point of view, what their obligations are. Also, then, from the conservation point of view, and then how to somehow bring those together to find a solution that enables you to continue what is a part of our heritage. Fishing has been—we've got members whose families' heritage goes back for three generations, in the same areas.

[286] **Jenny Rathbone:** Okay. You've made a convincing case. So, the key threat, then, may be our ability to continue to protect Welsh fishing from outside predators.

[287] **Mr Evans:** The point I was making, yes, is that that is a concern for us. So, the point that I was making, sorry, was that perhaps we ought not to be too concerned about the environmental stuff, because that should roll over.

If we focus on the CFP and what we replace that mechanism with, that's more of a priority, because, I think, the shorter term risks are there, and the problem with that is, like anything, if you develop sustainable practice, and you have fisheries that are well managed, then those become attractive to other people. I'm not flowering that up, but essentially, that's a resource. If a fishery is certified as sustainable or making progress towards that point, then, clearly, that's something that's publicly known, and if there were no regulations to support that, then, clearly, that's a threat, not only to the resource, but in terms of displacement, where you might get a concentration to maybe capitalise on an opportunity. I'm not saying that would happen, but with no control over European vessels, it possibly could.

[288] **Jenny Rathbone:** So, given the complexity of trying to police the seas—it is just very difficult, isn't it, because you can only be in one place at a time—what appetite do you think your members might have to moving towards the Norwegian system where it's obligatory for all boats, regardless of where they're flagged, to have cameras on board and for inspectors to be able to travel on the vessel as a right?

[289] **Mr Evans:** If I understand that correctly—. I'm probably not as familiar with the Norwegian process, but I know that CCTV trials have taken place in the UK as well. They are a means of monitoring—we've got the landing obligation currently as one of the reforms under the CFP, and with that, then, it was a means of trying to identify the catch and monitor that, because, basically, the fishermen would have to land all that he caught. It was a means of being able to monitor that to see if they could establish an accurate way of identifying what species had been caught in what quantities, and then the people attending would be the observers to validate that process and check it as it was developing. I think there have been some successes and some failures with that, but—

[290] **Jenny Rathbone:** Obviously, it gives you the ability to monitor, in real time, what's happening onboard, but it also would enable more scientific information to be gathered about the state of the ocean.

[291] **Mr Evans:** I take your point. For every vessel to operate in that way, as you suggested, probably wouldn't be, technologically, that reliable or successful. That would be a big and expensive thing to deliver. Would it answer all the questions? I'm not sure. But I'll tell you what we have done with Bangor University. We've worked on a prototype. It was an EFF-funded project—'sustainable fisheries resources in Wales' I think it was called. We

developed a camera prototype with Bangor that some of our fishermen used, and, basically, it was a one-button operation, so it was suspended over the hauling area of the vessel. So, what it would do is that camera would then—very crudely, the fisherman would—if it was a crab, he could turn it upside down so that he could sex the animal. He'd obviously know it was a crab, because there was a photograph—well, it was like a video, not just a still. By placing that crab, then, on a table or a measure on the gunnel, that would give them an indication of the size. So, what it would also do is enable them, when they analysed that information, to determine how much of the catch had been retained and then how many small bycatch, crabs or crustaceans had been returned alive, because that's important in terms of your knowledge of the stock and the sustainability and such. That was, shall I say, very crudely done on crabs and lobsters.

[292] Bangor also did some work where they then had an observer onboard so that when they were analysing those data, the observer took the records of each of the fish that were measured through that process, and they compared the two. I think the accuracy was amazing. At that time, given it was so crude, the accuracy was, I think, within 1mm to 1.5mm. So, what we've done now to develop that further—and this is the longer part of the journey and probably things that people don't realise are going on—is we're looking to take that technology, and we're in the process of working with SEACAMS to see how we can develop this with Bangor University, our technology providers, so we'd look to incorporate IVMS, which is inshore vessel monitoring systems—

12:30

[293] **Mark Reckless:** Just to wrap the answer up if you could, actually; we're quite tight on time.

[294] **Mr Evans:** Sorry?

[295] **Mark Reckless:** We are very interested in the examples you're giving, but could I ask you to wrap your answer up, just because the committee has a very tight timetable, and if Members want to eat before the next session—

[296] **Mr Evans:** I'm sorry, yes. Well, essentially, we're looking to incorporate that methodology with IVMS and software recognition systems, so that that can automatically identify a fish. It will tell you the location where that fish was caught, whatever type of fish it was, and that will then relate that

information directly to an app, which we've done other pilot studies on for collecting data on different fish stocks, and, ultimately, then, the intention is that that becomes a statutory reporting framework on a daily or weekly or whatever the frequency of that reporting process is. That will ultimately provide us with a sentinel fleet where we will have a level of information in Wales that's far superior to anything that ICES will ever have.

[297] **Jenny Rathbone:** Great. All that sounds very interesting. Thank you.

[298] **Mark Reckless:** Thank you very much. I've got David Melding who, I think, may have one or two questions, and then Sian, and Sian will wrap up. David.

[299] **David Melding:** Jim, what sort of engagement has WFA had in shaping the MPA management process, the strategy it sets? Would you say your engagement has been good as a stakeholder or otherwise?

[300] **Mr Evans:** Has the way we've been engaged been good, or have we been good in engaging? [*Laughter.*]

[301] **David Melding:** Well, I assume you've been good in any engagement.

[302] **Mark Reckless:** It's both, isn't it?

[303] **Mr Evans:** I think, in fairness, I referred to the HPMCZ example earlier; that was probably a bad example of engagement and process. But I do believe, in fairness, that a lot of lessons were learned from that, and, subsequently, whether I have issues or agree with the purposes for designating for harbour porpoise—and that's another story for another day, perhaps—the point is that the exercise that was undertaken by Welsh Government and NRW in terms of engaging with stakeholders, they had drop-in events, they had stakeholder events and workshops, and, obviously, a full consultation process. You had the opportunity to actually go to the office and talk through any things that you didn't particularly understand. It was a huge difference and it was entirely consistent with annex 3 within the directive, which—. I can't really comment on any designations prior to that, because that was before my time. But, in terms of moving from a perhaps dark place, whether we like the process, whether we like the purposes, in terms of the engagement and the process, that was—

[304] **David Melding:** You're not involved in the steering group, are you, at

national level? How does that operate?

[305] **Mr Evans:** We're involved—I'm personally involved in pretty much all the different fora that there are. That's challenging as well. But it's important. I suppose this might link into your question, actually. When the two portfolios came together for marine and fisheries, at that time they created, shortly after, this mechanism that's referred to as a marine transition programme, which was a means of bringing all those elements together, breaking them down into different components, and then setting up groups against each one of those, then, to deliver against those components, which were, I think, MPAs, the marine strategy framework directive, the new common fisheries policy, sustainable fisheries, evidence base, and things like this. So, each of those will have a group, a sub-group and another group, and on it goes. But it's certainly—

[306] **David Melding:** So, it's not lack of involvement. It may be a bit daunting, the demands, by the sound of it.

[307] **Mr Evans:** The demands are high. I think what's difficult about engagement is that it's very difficult to have a process whereby you need to consult the public. That's hugely difficult, I think, because whilst it's all right for me—I'll attend these things—. My colleagues, unfortunately, one of them couldn't be here today due to other demands. My colleagues—as we said earlier, they're small scale, they're very weather-dependent; it's like herding cats trying to get a board meeting organised. So, it's not easy to get people together for a stakeholder event. Having said that, if they're generally in the evening—and I think, in fairness to NRW and Welsh Government, they've been quite flexible there, because there have been a number of different fishery-related issues and MPA issues and things like this, where they have actually done that. So, on the whole, a much better place than where we were.

[308] **David Melding:** And then, just coming down to the local area—you've got, say, the relevant authority groups and then liaison bodies in addition sometimes, but, at that local level, especially if there is an officer employed, is the contact that more local fishermen can have better? I mean, can they just pick the phone up and say, 'We're not sure about this, why's it being done, do you have any advice?' What's the relationship like?

[309] **Mr Evans:** I think that, generally, the first port of call, mainly because it's probably the easiest one, is—the sequence seems to be—. Because our

organisation is, if you like, the hub that acts on behalf of all the member associations, so they, in turn, will have their memberships, normally, the members, if there's anything that's perhaps been circulated through the media or different trade press, they would ask a question firstly of their association leaders, and, from there, that would normally arrive on my desk, and we basically resolve things that way. There is some engagement, I think, in terms of relevant authority groups. I know you were speaking to Alison Hargrave earlier, and, striking the balance that I mentioned, the Llŷn marine ecosystem project is something that we, with Alison and RSPB and other partners, managed to find resources to take forward, not on the scale that we would have liked, where we were aiming to implement an ecosystem-based approach to managing a marine region, but what we've been able to do is start small-scale on a few modules, and, again, from there that can be incrementally increased to apply or provide some sort of examples on an ecosystem-based approach. So, on that level, there are steering groups in relation to that ecosystem group, and contact with Alison is frequent and she's well-known by the fishermen, so—

[310] **David Melding:** So, it's key to have that person.

[311] **Mr Evans:** Yes.

[312] **David Melding:** Alison's colleague, Sue Burton, who is the SAC officer for the Pembrokeshire SAC, said that she's in contact with a range of people, but the local fishermen as well—or 'fisher people', I should say. Is that your experience, that, where there are officers—there are not always officers attached, I realise that, but, where that resource is provided, then there is good contact? Would you say that's a fair conclusion?

[313] **Mr Evans:** I think that is something that has evolved. I think the Llŷn has been a particularly good example of that. I think that example is starting to develop in other areas, but the resource to support that role is important. Like you say, different authorities perhaps have different proprieties and there's not much consistency between support for site officers throughout Wales. But Sue Burton—I know that Sue's hosted by the port authority in Milford and she works very closely with the fishermen in Pembrokeshire. All of these relations are good, because, as you've no doubt heard, there's enforcement, but also you need to work on—

[314] **David Melding:** I think they call it the softer contact.

[315] **Mr Evans:** —education, understanding, yes, and that softer side of things. Because I think once people understand something then they don't automatically react to it and reject it; they engage in it in a positive way and I think that's important.

[316] **David Melding:** Sure.

[317] **Mark Reckless:** Sian, did you have anything further you wanted on the culture of stakeholder engagement?

[318] **Sian Gwenllian:** I think what you've explained is that the relationship is much better now than it was a few years back.

[319] **Mr Evans:** Yes. I suppose, really, based on the previous committee's inquiries, where the marine inquiry started, in terms of where we were then and where we are now, to be honest, even though there have been a lot of challenges within that period—to maybe talk about strategic direction, I think that has changed. Through the transition programme we're taking a longer term view, and, looking at the marine strategy framework directive, it sets a requirement for achieving good environmental status by 2020, and there's a set of indicators below that. I think what they've done is basically look at those indicators, seen what we're already satisfying and then focused on the ones that are being implemented to enable, then, to—. I think the review of that is 2018, the first review of the measures and the implementation. Subject to that, then, good environmental status is to be achieved by 2020. So, it's taking a longer term view. Now, if that's the direction of travel, and we've moved from there, making a few steps forward, I think, frustrating and challenging as that might be, what we've also done in amongst all of that—I say 'we'; it's not 'me', but what has been done to support a strategic approach is the Environment (Wales) Act and, obviously, the Well-being of Future Generations (Wales) Act. That's particularly interesting now, or helpful, perhaps, in light of Brexit, because that might provide vehicles for taking that forward. So, strategically, I think things are—

[320] **Mark Reckless:** Thank you very, very much indeed for your evidence. It's been a very valuable perspective. We're expecting written evidence from you about—[*Inaudible.*] And I think our researcher will also be in touch for assistance on other issues. But thank you very much indeed.

[321] **Mr Evans:** Could I ask—? I wonder if you could—if there's anything you want me to clarify, then I'll make sure I include that.

[322] **Mark Reckless:** That would be great. Thank you very much, Jim.

[323] **Mr Evans:** Okay. Thank you.

12:41

**Papurau i'w Nodi
Papers to Note**

[324] **Mark Reckless:** Before we break formally, can I just ask Members, while we're still on the record, can we note the letters we've had from Caerphilly County Borough Council on air quality and from the Welsh Government on bovine TB? Are those noted for the record?

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd
o'r Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Meeting**

Cynnig:

Motion:

bod y pwyllgor yn penderfynu that the committee resolves to gwahardd y cyhoedd o weddill y exclude the public from the cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in 17.42(vi).

accordance with Standing Order 17.42(vi).

Cynigiwyd y cynnig.

Motion moved.

[325] **Mark Reckless:** If we can have a motion under Standing Order 17.42 to move into private session after lunch, and, if I can ask Members, would it be okay to reconvene at 1.10 p.m? Good. We'll be done by 2.30 p.m. Thank you.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 12:42.

The public part of the meeting ended at 12:42.

