



**National Assembly for Wales' Environment and Sustainability  
Committee  
Inquiry into Marine Policy in Wales (January 2013): Follow up  
Submission by Cyfoeth Naturiol Cymru/ Natural Resources Wales  
January 2014**

The purpose of Natural Resources Wales is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

Wales faces many challenges - for its people and communities, for its economy and for its environment and wildlife. Key issues include securing energy and fuel supply, provision of jobs and income; tackling the threats of climate change and flooding; improving people's health and wellbeing. We believe that by unlocking the potential that lies within Wales' resources, by managing them and using them in a more joined up and integrated way, they can help to meet the challenges we face.

As part of meeting these challenges we will:

- Work for communities in Wales to make sure people and their homes are protected from environmental incidents like flooding and pollution. We will provide opportunities for people to learn, use and benefit from Wales' natural resources.
- Work for Wales' economy and enable the sustainable use of natural resources to support jobs & enterprise. We will help businesses and developers to understand and consider environmental impacts when they make important decisions.
- Work to maintain and improve the quality of the environment for everyone. We will help make the environment and natural resources more resilient to climate change and other pressures.
- Use our knowledge, and learn from the knowledge of others, to make Natural Resources Wales an efficient, effective and capable organisation for the people and environment of Wales.

## **Natural Resources Wales' role in the marine environment**

The marine environment makes up almost half of Wales' territorial area and delivers important benefits to society, including jobs, food and a resource for recreation and relaxation. It is important that our seas are healthy and sustainably managed to ensure that we can continue to enjoy and benefit from them in the future.

Natural Resources Wales has a significant role in the sustainable management of the marine environment from the shore out to 12 nautical miles (nm) through the combination of the previous powers and duties of Countryside Council for Wales and Environment Agency Wales, consolidated in the Natural Resources Wales Establishment Order (2012) and Natural Resources Wales Functions Order (2013).

In summary, our role in the marine environment includes (but is not limited to):

- Advice, management and monitoring relating to nature conservation and biodiversity
- Advice, regulation and monitoring relating to water quality, including our role as competent authority for the Water Framework Directive
- Advising on and managing coastal flood risk/erosion
- Fisheries management (Dee, Burry Inlet, migratory fish)
- Advising on landscape/ seascape
- Advice and management for recreation and access
- Regulation, including Marine Licensing

## **Progress against recommendations from the Marine Policy Inquiry in January 2013**

Natural Resources Wales welcomes the continued scrutiny by the Committee on the progress of marine policy in Wales. Both the Countryside Council for Wales and Environment Agency Wales provided detailed evidence for the original inquiry in January 2013 and the committee are referred back to those documents. For the purposes of this submission, we will focus our comments on progress made in relation to the 13 recommendations that came out of that inquiry, which we have grouped into 4 key areas:

- Marine Policy in Wales (recommendations 1, 2 and 3)
- Marine Planning (recommendations 4, 5 and 6)
- Marine Protected Areas (recommendations 7,8,9, 10 and 11)
- Marine Licensing (recommendations 12 and 13)

## **Marine Policy in Wales**

The Minister responded positively to the recommendations that came from the Inquiry, accepting all of them whilst proposing some changes to the timescales for their delivery. We strongly supported his decision last year to bring together Marine and Fisheries into one division, which we believe will make a significant contribution to developing a more integrated approach to the management of the marine environment. A further challenge will be to ensure that other relevant policy areas not within the Marine and Fisheries division, for example marine energy and water, are sufficiently engaged in the development and delivery of marine policy, and particularly the marine planning process.

We welcomed the publication of the Marine and Fisheries Strategic Action Plan (SAP) in November 2013. The SAP sets out a clear, high level framework for the delivery of the range of marine policy area that need to be progressed, and indicates that a higher level of priority is now being given to this area of work. As outlined within the SAP, Natural Resources Wales will have an important role in supporting the delivery of these work areas and we are currently working closely with Welsh Government to align our own work programmes to achieve this.

We welcome the Minister's emphasis on the importance of communication and engagement with stakeholders as part of the delivery of the SAP. We agree that achieving the appropriate level of stakeholder engagement across such a wide range of strategic and local marine planning and management issues will be critical to the successful delivery of the SAP. We look forward to further information on the review of stakeholder engagement arrangements being undertaken by Welsh Government, and how this will build on existing partnerships and communication mechanisms for the marine and coastal environment.

The work programme set out in the SAP is ambitious and substantial. The availability of adequate resource, both finance and people, is challenging not only to Welsh Government, but Natural Resources Wales and other marine stakeholders across Wales and the UK. We welcome the recent progress and the increased resource that has been made available for this work within Welsh Government. We hope that this will be a continued commitment to supporting the delivery of marine policy as it matures over time to deliver increasing benefits for the people, environment and economy of Wales.

## **Marine Planning**

At the original inquiry, a significant concern raised was the lack of progress with marine planning in comparison to elsewhere in the UK. We therefore welcome the commencement of marine planning in Wales and the Minister's commitment to having the first Welsh National Marine Plan (WNMP) in place by 2015. Whilst progress here has been slower than in adjacent countries, we can now benefit from experience gained in other parts of the UK to inform and strengthen the approach developed for Wales.

We particularly welcome the commitment by Government to work closely with public bodies to understand how the Wales National Marine Plan (WNMP) can add value to decision-making. We are already in discussion with Welsh Government to ensure that the WNMP can support the marine license decision making process, for which we are responsible. We anticipate that the establishment of a robust and fit for purpose planning process will be key to the ultimate success of future marine plans, and that over time marine plans will develop in detail and effectiveness as our understanding of the marine area increases.

Data and evidence (environmental, economic and social) will play a significant role in supporting the planning process. Natural Resources Wales collects and holds a range of environmental and regulatory data that will be relevant to marine planning. Nevertheless, a key challenge for the sustainable management of marine resources continues to be the gaps in our knowledge and understanding of the marine area. The marine planning process will be the over-arching framework for prioritising information needs for the planning and management of the marine environment. We therefore welcome the strategic scoping exercise identified in the SAP to ensure that marine planning is based on the best available evidence and look forward to working closely with WG and other key partners across Wales and the UK to inform and support the delivery of this work.

We wish to see the principles of Integrated Coastal Zone Management fully embedded in the marine planning process, as set out in the Minister's response to recommendation 4 of the original Inquiry. A key role for marine planning will be to facilitate more integrated management across the land-sea interface. The coastal zone is a particularly busy area, with activity on land and within catchments resulting in management issues for the marine environment. An important element of the marine planning process should be the development of clear guidance to enable terrestrial management and development planning regimes (including River Basin Management Plans, Shoreline Management Plans, Local Development Plans and future Natural Resource Plans proposed in the Environment Bill White Paper) to take account of marine planning, and vice versa.

The WNMP will be a key mechanism for the delivery of Welsh Government proposals for Natural Resource Management and the proposed Planning Bill also offers opportunities for ensuring integration of marine and terrestrial planning. We look forward to working with Government and with partners across Wales to ensure appropriate join up between these new regimes.

It will be equally important that marine planning facilitates an integrated approach to the sustainable management of the wider Irish Sea. The Marine Strategy Framework will be a key driver to support better communication and joint delivery of management of the marine area over administrative boundaries.

## **Marine Protected Areas**

Wales must contribute to a coherent and well-managed network of MPAs by 2016, to comply with the Marine Strategy Framework Directive and Marine and Coastal Access Act (2009). As identified in the previous Inquiry, there remain issues relating to the management of existing sites, and to the coherence of the network.

Natural Resources Wales is currently working closely with Welsh Government, and the other UK Statutory Nature Conservation Bodies and Administrations across the UK to carry out a stock take of the UK MPA network. The outputs of this work are expected later this year and will inform our understanding of any gaps in the suite of sites in Wales and inform a future work programme to fill any gaps that are identified.

We are already aware of some gaps in the network, in particular relating to Special Protection Areas under the Birds Directive. The suite of SPAs on land in Wales is relatively well established but further work is needed to complete the suite of SPAs at sea. The delivery of a series of work streams to identify different types of SPAs is being lead by the Joint Nature Conservation Committee (JNCC), the detail of which is set out in previous evidence from Countryside Council for Wales. JNCC is due to report on completion of this work in 2015, but as individual elements are completed, they are taken forward by the country agencies as appropriate.

The JNCC work stream relating to proposed marine extensions for breeding seabird colonies is completed and there are recommendations for three sites in Welsh waters. Natural Resources Wales will shortly launch a 12 week consultation on three existing SPA sites over proposed seaward extensions for 'loafing' or resting areas for the seabirds in addition to further proposed changes to the terrestrial qualifying bird species. It is anticipated that following public consultation we will submit final site recommendations for Ministerial consideration in the early Summer 2014.

A key objective for a network of Marine Protected Areas in Wales is that they are effectively managed so that they can contribute to the health and resilience of the marine environment. Following advice on the management of Marine Protected Areas by the Countryside Council for Wales in 2012 we have been working closely with Government on this area and have agreed a series of shared principles for MPA management in Wales. As set out in the SAP, Welsh Government will be creating a Welsh MPA Management Steering Group to provide strategic co-ordination of MPA management in Welsh seas, with the first meeting planned for late March 2014. We believe that this group will be fundamental to achieving a more coherent and focussed approach to management of the MPA network across Wales.

## **Marine Licensing**

As part of the creation of Natural Resources Wales, we took on responsibility for marine licensing from the Welsh Government's Marine Consents Unit

(MCU) in April 2013. Four officers and a team leader from Environment Agency Wales were appointed to assignments by the Living Wales Programme (LWP) in February 2013 and immediately commenced a work shadowing arrangement with the former Welsh Government Marine Consents Unit. Three of these staff had significant experience of the Environment Agency's permitting process across a number of regimes and four of them had academic qualifications relating to the marine environment. They were therefore well placed to commence the transition of this work into Natural Resources Wales. The assignees remained in post throughout 2013, thereby providing continuity within the team. Natural Resources Wales executive team approved a permanent structure for the Marine Licensing Team (MLT) in July 2013 and the majority of the posts have now been permanently appointed.

The LWP also agreed a formal arrangement between Welsh Government and Natural Resources Wales for the former MCU's team leader to provide ongoing support for the first six months. Full advantage was taken of this arrangement and it has contributed to the successful delivery on the marine licensing work in Natural Resources Wales. Formal liaison arrangements are now in place with Welsh Government Marine Policy Branch and these take place every quarter.

There has been no diminution of service. The team have processed 64 applications this year with >90% of these determined within our service level standard. We continue to receive positive comments about our service from both internal and external customers.

The MLT have also met various stakeholders since vesting day including The Crown Estate, Marine Management Organisation, Planning Inspectorate, Welsh Ports, Marine Energy Pembrokeshire (MEP), and the British Marine and Aggregates Producers Association. These relationships continue to grow and develop and the MLT is becoming a well recognised marine partner in Wales.

Every month a list of all Marine licence applications received and determined is published on the Natural Resources Wales website<sup>1</sup>. All Marine licensing documentation is stored on our internal Document Management System and documents can be made available to the public on request unless classified as confidential. This procedure meets the public register requirements of the relevant Marine legislation namely the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended), Marine and Coastal Access Act 2009 and The Marine Licensing (Register of Licensing Information) (Wales) Regulations 2011.

## **Conclusion**

Natural Resources Wales welcomes progress in the development of an integrated framework for the effective management of the marine environment

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<sup>1</sup> <http://naturalresourceswales.gov.uk/apply-buy-report/apply-buy-grid/marine-licensing/considered-marine-applications-and-licences/?lang=en>

of Wales. We look forward to working closely with Welsh Government to support and inform the delivery of the ambitious work programme set out in their Marine and Fisheries Strategic Action Plan.