

Agenda – Climate Change, Environment, and Infrastructure Committee

Meeting Venue:

Video Conference via Zoom

Meeting date: 30 September 2021

Meeting time: 09.15

For further information contact:

Marc Wyn Jones

Committee Clerk

0300 200 6565

SeneddClimate@senedd.wales

Private pre-meeting (09.00– 09.15)

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv

Public meeting (09.15–12.35)

- 1 Introductions, apologies, substitutions, and declarations of interest**
(09.15)

- 2 Priorities for the Climate Change, Environment, and Infrastructure Committee: Evidence session 5 – climate change**
(09.15–10.15) (Pages 1 – 36)
The Rt Hon Lord Deben, Chair – Climate Change Committee
Sophie Howe – Future Generations Commissioner for Wales



Attached Documents:

Research brief: Climate change, flooding, biodiversity and environment

Paper – Future Generations Commissioner for Wales

Break (10.15–10.25)

3 Priorities for the Climate Change, Environment, and Infrastructure Committee: Evidence session 6 – climate change and flooding

(10.25–11.25)

(Pages 37 – 50)

Haf Elgar, Director – Friends of the Earth (FOE) Cymru

Anne Meikle, Director – World Wide Fund for Nature (WWF) Cymru

Jeremy Parr, Head of Flood & Incident Risk Management – Natural Resources Wales

Clive Walmsley, Specialist Advisor on Climate Change and Decarbonisation – Natural Resources Wales

Attached Documents:

Paper – Friends of the Earth (FOE) Cymru

Paper – World Wide Fund for Nature (WWF) Cymru

Paper – Natural Resources Wales

Break (11.25–11.35)

4 Priorities for the Climate Change, Environment, and Infrastructure Committee: Evidence session 7 – environment and biodiversity: governance and targets

(11.35–12.35)

(Pages 51 – 74)

Professor Richard Cowell, School of Geography and Planning – Cardiff University

Ruth Jenkins, Head of Natural Resources – Natural Resources Wales

Annie Smith, Head of Nature Policy and Casework – Royal Society for the Protection of Birds (RSPB) Cymru, representing Wales Environment Link
Clare Trotman, Acting Head of Conservation (Wales) – Marine Conservation Society, representing Wales Environment Link

Attached Documents:

Paper – Professor Cowell

Paper – Wales Environment Link

Paper – Royal Society for the Protection of Birds (RSPB) Cymru

Paper – Marine Conservation Society

Lunch break (12.35–13.20)

Private pre-meeting (13.20–13.30)

Public meeting (13.30–15.30)

5 Priorities for the Climate Change, Environment, and Infrastructure Committee: Evidence session 8 – environment and biodiversity: green recovery

(13.30–14.30)

(Pages 75 – 78)

Jerry Langford, Public Affairs Manager – Woodland Trust

Katie-Jo Luxton, Director – Royal Society for the Protection of Birds (RSPB) Cymru

Claire Shrewsbury, Director of Insights and Innovation – WRAP Cymru

Attached Documents:

Paper – Woodland Trust

Break (14.30–14.40)

6 Scrutiny of the Chair Designate of the National Infrastructure Commission for Wales (NICW)

(14.40–15.30)

(Pages 79 – 88)

Dr David Clubb – Chair Designate of the National Infrastructure Commission for Wales

Attached Documents:

Research brief: National Infrastructure Commission for Wales

Letter from the Deputy Minister for Climate Change to the Chair regarding the Chair Designate of the National Infrastructure Commission for Wales (NICW)

7 Paper(s) to note

(15.30)

7.1 Legislative Consent Memorandum for the Environment Bill

(Page 89)

Attached Documents:

Letter from the Chair to the Minister for Climate Change regarding the Committee's report on the Legislative Consent Memorandum for the Environment Bill

7.2 Legislative Consent Memorandum for the Environment Bill

(Page 90)

Attached Documents:

Letter from the Chair to the Llywydd regarding Senedd scrutiny of Legislative Consent Memorandums

7.3 UK/Japan: Protocol Amending the Agreement for Co-operation in the Peaceful Uses of Nuclear Energy

(Page 91)

Attached Documents:

Letter from the Chair, Legislation and Justice Committee to the Chair in

relation to UK/Japan: Protocol Amending the Agreement for Co-operation in the Peaceful Uses of Nuclear Energy

7.4 Environmental principles and governance

(Page 92)

Attached Documents:

Letter from the Environmental Governance Task Group to the Minister for Climate Change in relation to environmental governance following the UK's departure from the European Union.

7.5 Common Frameworks

(Pages 93 – 100)

Attached Documents:

Correspondence from the Chair, Legislation, Justice and Constitution Committee to the Chair regarding scrutiny by Senedd Committees of common frameworks

7.6 Welsh Water

(Pages 101 – 103)

Attached Documents:

Letter from Welsh Water to the Chair following their evidence session with the Committee on 16 September 2021

7.7 Competition and Markets Authority (CMA)

(Pages 104 – 105)

Attached Documents:

Correspondence from the Competition and Markets Authority (CMA) to the Chair introducing the work of the Authority.

8 Motion under Standing Order 17.42 (vi) and (ix) to resolve to exclude the public from the remainder of today's meeting

(15.30)

Private meeting (15.30–16.00)

- 9 Priorities for the Climate Change, Environment, and Infrastructure Committee: consideration of evidence heard under items 2,3,4 and 5**

- 10 Scrutiny of the Chair Designate of the National Infrastructure Commission for Wales (NICW): consideration of evidence heard under item 6**

Document is Restricted



Dear Llyr,

I would like to thank you for the opportunity to respond to the consultation on the Committee's priority areas during the next Senedd term. I also look forward to discussing my advice further with you on the 30th of September.

Several of my recommendations and commentaries below are relevant to other Senedd Committees, but I wanted to flag them to you too because efforts should be made across Committees to integrate respective areas of work. Better integration of policy areas will ensure collective scrutiny, the ability to identify implementation gaps and offer solutions across the Senedd's work. You can find my letters to other Committees [here](#).

I would also like to suggest to you and to other Committees a cross-cutting area, which can be looked at jointly and in collaboration by some, or ideally all, Senedd Committees: Skills for a Green Recovery. A prosperous, equal, green recovery from the impacts of COVID-19 means delivering good quality livelihoods to all, whilst supporting rapid decarbonisation and improving biodiversity. This is reliant on having the right skills and training for our population. This is an area my own team has recently explored, and you can find our latest publication [here](#).

In May 2020, I published the first ever Future Generations Report, which considered the progress made by public bodies in implementing the Well-being of Future Generations Act. It also set out the actions and recommendations public bodies should adopt as they further implement the legislation. I have highlighted for the Committee below the relevant findings and recommendations of the report for your consideration (Annex 1). I would encourage all Committee Members to consider the report and in particular the Sections on [A Prosperous Wales](#), [A Resilient Wales](#), [A Globally Responsible Wales](#), [Planning](#), [Transport](#) and [Decarbonisation](#).

I have highlighted the relevant findings and recommendations, which emerged from my work, to help the Committee select the specific areas they will focus on during the next Senedd term. My team and I would be happy to meet with Committee Members or clerks to discuss this further, if you think that would be useful.

The climate and nature emergencies are the two biggest challenges facing our future generations - hence, green recovery and decarbonisation are cross-cutting themes central to ensuring the environmental, social, cultural and economic well-being of Wales.

Wales was the first country to declare a climate emergency in 2019, thus stating its ambitions to be a leader in decarbonisation. In February 2021, the Welsh Government laid regulations before the Senedd, which commit Wales to targets for net-zero emissions by 2050 but declared its ambitions to reach net-zero before 2050.

The Senedd also became one of the first parliaments globally to declare a nature emergency, recognising the critical condition of the environment in Wales and globally, calling for legally binding targets to limit biodiversity loss.

The COVID-19 pandemic has given us an opportunity to rethink the way we do things and build back better in a green and just way that addresses both the climate and nature crises, along with other challenges facing our current and future generations.

It is now time to back these declarations with bold action to ensure that targets are met, with Wales becoming a global leader in tackling the climate and nature crises.

Following the Future Generations Report, I have also published a paper, [Future Fit Programme for Government](#), which highlights the importance of the environment for recovery and building back better.

I would also suggest you consider the [upcoming second iteration of the Future Trends Report](#), which will be published later this year by Welsh Government. Annexe 2 below provides you with some of the relevant future trends which could impact the Committee's remit.

I would also advise all Committees to consider how their chosen priority areas align with the well-being objectives and steps within the published [Programme for government](#).

Your consultation notes that you will be focusing the Committee's work around the Minister and Deputy Minister's priorities, so I have structured my response accordingly, focusing on the areas on which I have provided advice and undertaken research - I have, for example, not undertaken specific work into the Marine Energy Programme.

Climate Change and Net Zero

Following the COVID-19 pandemic, much of my recent work has been focused on building back differently and creating a greener, just and carbon positive economy, environment, culture and society in Wales. This is a main theme in the recent reports I have published, including [Skills through Crisis: Upskilling and \(Re\)Training for a Green Recovery in Wales](#); my paper, '[A Fit For the Future Programme for Government](#)'; and my recent report on financing a national retrofit programme, [Homes fit for the Future](#).

I will also be publishing a report on future trends in the Autumn in relation to inequalities, which specifically examines the impact of climate change on particular groups of the population, which may be of interest to the Committee. I will also continue to challenge Government on how they are making fiscal decisions relating to decarbonisation through their annual budget process and stress the importance of scale and pace to meet the challenges ahead.

Following the Future Generations Report, my team has undertaken significant work into specific facets of decarbonisation.

The findings that have emerged through this work include:

- We're not acting quickly enough to reduce greenhouse gas emissions. Welsh Government monitors the level and sources of emissions in Wales at a national level but there isn't sufficient focus on how all sectors, organisations and individuals across Wales can support our carbon reduction targets.
- Decisions made as part of the annual budget process should be supported by transparent assessments of carbon impact so that people can clearly understand whether funding and infrastructure investment is leading to an increase or decrease in emissions.
- All public bodies need to take action to divest their pension funds from fossil fuels.
- Over 60,000 jobs could be created in the green economy by 2022 with infrastructure investment. However, the current skills pipeline is not prepared for this demand.
- Regional growth deals, businesses and others must demonstrate how their investments are reducing emissions - these also provide an opportunity to grow skills and industry in the 'green economy'.
- Over half of Wales' emissions are currently derived from the power, business and industry sectors; decarbonising these sectors will have significant impacts on people and communities highlighting the importance of a just transition.
- The latest Climate Change Risk Assessment report highlights the key risks to Wales from the impacts of climate change and our capacity to adapt needs to be given much higher priority and resource.

I am also aware that Welsh Government will publish their next low carbon delivery plan – Net Zero Wales – next month and this will set out the key policies and commitments to deliver the second carbon budget and ambitious 2030 target for a 63% reduction in Wales' emissions.

Based on my existing advice and work, I would encourage the Committee to consider focusing their work on climate change around the following themes:

- **Tackling the climate and nature crises through a holistic approach, capitalising on the role of young people.**
- **Understanding our emissions across all sectors including where to prioritise action at all levels.**
- **Investing more in tackling the Climate Emergency supported by a carbon assessment to capture carbon impact of all investment decisions.**
- **Delivering an urgent and just transition to a low carbon society that works within its environmental limits.**
- **Taking advantage of new environmental industries in Wales and improve alignment and action towards the nature and climate emergencies.**
- **Investment in skills, training and sector development that are low carbon locking wealth and jobs into local areas.**

More detail and advice in relation to the economy can be found in the Sections on [A Prosperous Wales](#), [A Globally Responsible Wales](#), and [Decarbonisation](#) in the Future Generations Report.

Nature, biodiversity and tree planting

My findings in relation to the environment include:

- Biodiversity has seen an overall 60% decline in species across the globe since 1970.

- There is growing recognition at a local and national level of the benefits of increasing tree cover.
- There is recognition of the role unsustainable agricultural management plays in the lack of biodiversity in our natural environment, but key policy developments are in progress which support sustainable land management.
- There is a need for programmes and approaches which help ensure everyone can live in and access a healthy, wildlife-rich natural world.
- Public bodies and Public Services Boards need to recognise healthy resilient ecosystems are fundamental to our health and well-being and working with nature is an important part of the solution to addressing many of the significant challenges we face.
- Public bodies should seek ways to reduce air pollution to meet Wales' climate change commitments and ensure clean air for current and future generations.

Based on my existing advice and work, I would encourage the Committee to consider focusing their work on the environment around the following themes:

- **Maintaining and enhancing the natural environment through managing land and sea appropriately to create healthy functioning ecosystems.**
- **Making the most of natural green and blue space to support well-being.**
- **The urgent need for a better knowledge of nature.**
- **Clean air and water for wildlife and people.**

The main body of my advice in relation to the environment is contained in the Section on [A Resilient Wales](#), but this is also highlighted in most of the advice I have published since the Future Generations Report, including my paper, [A Fit For the Future Programme for Government](#).

I am also part of **Wales' Green Recovery** Group, chaired by Sir David Henshaw. The group's letter to Government in late May 2021 ('Agenda for Action: Priorities for a Green and Just Recovery'), sets out 10 priorities. This included the call to establish a National Nature Service, reiterated in my 'Fit for the Future Programme for Government', which is a skills and employment scheme focused on restoring nature and providing good quality jobs and livelihood opportunities across Wales.

To date, there has been no response from Government. However, I stress how important it is for Welsh Government to consider the need to invest in bold ideas like the National Nature Service, as a way to integrate and help deliver many of the well-being objectives and steps set out in its new programme for government.

Housing

My findings related to housing can be found in the section on [Housing](#) and in my recent report and include:

- Our ambition on decarbonising homes is not matched by actions - Wales is still building homes which do not support our carbon emission targets.
- A Welsh Housing Decarbonisation Programme could create 26,500 new jobs in Wales by 2030 but securing these jobs for Welsh people can only be achieved by guaranteeing long-term investment linked

to prioritisation of apprenticeships and reskilling the existing (and future) workforce in necessary trades to address the skills gap.

- The age and condition of Wales' housing stock presents a particular challenge for decarbonisation. My recent [research](#), in collaboration with the New Economics Foundation, demonstrated that of the £14.75bn of investment needed to decarbonise and improve the quality of Welsh homes, £3.6bn should come from UK and £1.7bn from Welsh Government, with 64% of total investment coming from private finance, energy companies or self-funding by property owners. Addressing this challenge needs to be a shared endeavour across many stakeholders with Welsh Government leading the way.

Based on my existing advice and work, I would encourage the Committee to consider focusing their work on housing around the following themes:

- **Setting out a longer-term plan for funding the decarbonisation of our homes.**
- **Increasing the skills needed to carry out a national housing / buildings retrofit programme.**
- **Improving the way we plan and design houses as well as places and communities.**

Town Centre Regeneration

Information and findings in relation to this can be found in the sections on [Planning](#) and [A Wales of Cohesive Communities](#), including:

- While there is an important focus on carbon reduction in Planning Policy Wales 10 (and subsequently, 11), related land use planning policies are lacking specific analysis on how they will contribute to carbon reduction.
- Integration of policies and services relating to the built environment causes confusion and could be improved.
- Access to key well-being services in communities is unequal across Wales.

Based on my existing advice and work, I would encourage the Committee to consider focusing their work on town centre regeneration around the following themes:

- **Ensuring the updated Planning Policy Wales is properly implemented.**
- **Greener town and city centres for people and wildlife.**
- **Ensuring everyone has access to key services.**
- **Working with the creative and cultural sector to support the regeneration of towns and cities.**
- **Capitalise on the increase in remote working during the pandemic to repurpose buildings in village, town and city centres to support cross-sector shared working and community-use spaces, housing and other uses that benefit people, communities and well-being.**

Transport

My findings related to transport can be found in the section on [Transport](#) and include:

- Decisions on transport infrastructure need to be based on the needs of current and future generations, supporting environmental, social, economic and cultural well-being, rather than being based on outdated approaches and the needs of the past.
- Improving public transport in rural areas is key to enable young people to access skills and training opportunities.
- Wales has one of the lowest per capita spend on public transport in the UK leading to a lack of affordable and accessible sustainable transport options.
- Some public bodies have started investing in improving active travel infrastructure and electric vehicles charging infrastructure but more needs to be done to encourage modal shift.

The commitments and focus on climate change within the new transport strategy – ‘Llwybr Newydd’ and the recent announcement of a pause to road spending is welcomed but will need to be followed up with clear delivery plans to support implementation.

Based on my existing advice and work, I would encourage the Committee to consider focusing their work on transport around the following themes:

- **Decisions on transport infrastructure and investment must reflect the climate and nature emergencies.**
- **Ensuring that decisions on transport-based interventions, using the updated Wales Transport Appraisal Guidance (WelTAG), improve environmental, social, economic and cultural well-being.**
- **Achieving the commitment to modal shift within Llwybr Newydd, and reducing our reliance on cars, will require significant support and societal change.**
- **Embracing technology whilst ensuring equality of opportunity.**

Digital Infrastructure

My findings related to digital infrastructure can be found in the section on [A Prosperous Wales](#) and [A Wales of Cohesive Communities](#):

- Digital connectivity has the potential to transform the rural economy, helping people and communities in rural areas address some of the key challenges they face.
- The COVID-19 crisis has highlighted the importance of digital technology. However, 13% of households in Wales do not have access to the internet.

I would encourage the Committee to carefully consider these findings and use them to inform their priorities and work in relation to digital infrastructure in the next Senedd term.

Circular Economy

My findings related to the circular economy can be found in the sections on [A Prosperous Wales](#). These include:

- We are using our natural resources faster than can be replenished.

- Wales is leading the way on recycling, but all public bodies now need to find innovative solutions to reduce and reuse waste and promote a circular economy, to reach the ambition of becoming a zero-waste country.

Based on my existing advice and work, I would encourage the Committee to consider focusing their work on the circular economy around the following theme:

- **Ensuring we use natural resources efficiently, recognising the limits of the global environment, and contribute to global well-being.**

Energy

My findings related to energy can be found in the sections on [A Prosperous Wales](#) and [Decarbonisation](#). These include:

- Wales has a major opportunity to make renewable energy part of its identity: a cleaner, greener chapter in our industrial story.
- Public bodies can go further in supporting community and local energy initiatives especially where they are able to improve environmental, social, economic and cultural well-being.
- There are promising signs of progress on the shift to clean energy, but all opportunities should be embraced if Wales is to meet its targets.

I would encourage the Committee to carefully consider these findings and use them to inform their priorities and work in relation to energy in the next Senedd term.

You may also be interested in some of the case studies of good practice that I have been collecting, which are available [here](#). In particular, you might like to look at:

- [Transforming the way we move around Cardiff;](#)
- [Swansea's approach to housing;](#)
- [Making connections to improve environmental sustainability;](#)
- [Beyond Recycling: our path to a circular economy;](#)
- [Cardiff and Vale enhancing biodiversity.](#)

We have also produced bite-sized versions of the Future Generations Report, setting out the key parts of the vision, context and the relevant recommendations. You can find bite-sized versions for Welsh Government in relation to the sections on:

- [Planning](#)
- [Transport](#)
- [Addressing the climate and nature emergencies](#)

Once again, I would like to thank the Committee for the opportunity to feed into their priorities for the next Senedd terms and look forward to building on this submission at the upcoming committee appearance.

Yours sincerely,



Sophie Howe
Future Generations Commissioner for Wales

Annexe 1

Relevant Recommendations from the Future Generations Report 2020

Decarbonisation

Key Recommendation

Welsh Government should set out a long-term investment plan of how they will fund the climate emergency and support more ambitious commitments and targets for sectors within their control.

Policy Recommendations

Welsh Government should:

- Assess the carbon impact of their spend, especially capital spend, and should also publish details on the overall carbon impact of their budget and major investment/infrastructure decisions.
- Require all publicly funded buildings to be carbon neutral: urgently amend the building regulations (Part L and Part F) and enforce stricter building and infrastructure standards to ensure that we are not building “old” new schools, hospitals and other infrastructure that will contribute to climate change and not be fit for future generations.
- Resource and prioritise carbon and eco-literacy training for all politicians, elected members and senior officers of public bodies in Wales to ensure we have the necessary skills and understanding to make the right decisions for the climate.
- Ensure the new “National Strategy for Flood and Coastal Erosion Risk Management” provides a comprehensive and holistic plan for responding to flooding and coastal erosion, with adequate funding that is focussed on preventative measures including nature based solutions.

Process Recommendations

In their day to day actions Welsh Government should stop:

- Providing funding any new housing programmes or developments which are not at least carbon neutral.
- Supporting and funding carbon intensive infrastructure.
- Encouraging habitat loss and deforestation.
- Encouraging carbon intensive agriculture.
- Putting pressure on our natural resources.
- Encouraging the use of fossil fuels

In their day to day actions Welsh Government should start:

- Securing investment for a national retrofit programme to improve the energy efficiency of Wales’ housing stock.
- Continuing to promote and incentivise local renewable energy schemes.
- Establishing a Climate Justice Advisory group to involve relevant stakeholders in decisions on how Wales’ transition is providing funding and support for the delivery of sustainable and active travel.
- Acting on the health impacts relating to climate change, particularly the disproportionate impact on the most vulnerable.

- Ensuring that all decisions including pension fund investments are compatible with climate emergency.
- Promoting and incentivising individual solutions to support behaviour change, that people can adopt at home and/or work to deliver a wider cultural shift in communities across Wales.
- Restoring forests and peatland and encourage more sustainable land-use to protect nature.
- Taking action to address the climate and nature crisis together

A Prosperous Wales

Key Recommendation

In line with the Well-being of Future Generations (Wales) Act (2015), Welsh Government should demonstrate how they are applying well-being economics in all of their policy, funding arrangements and interactions with the public, private and voluntary sector. Welsh Government should ensure they are meeting the Act's aspirations of equitable distribution of wealth, health and well-being, while protecting the planet's resources for future generations and other species.

Policy Recommendations

Welsh Government should:

- Adopt a whole government approach and work collectively with businesses, trade unions, the voluntary sector, communities and people across Wales to implement a low carbon society for current and future generations that leaves no one behind.
- Demonstrate how the natural environment is incorporated into all economic and political decision-making.
- Continue to lead the way on recycling, and implement its ambition to become a zero waste, net-zero carbon country.

Process Recommendations

In their day to day actions Welsh Government should stop:

- Commercialising and selling off natural resources, regardless of the social, environmental and cultural impacts.
- Seeing low carbon technology as expensive and high risk.

In their day to day actions Welsh Government should start:

- Implementing the actions as set out in 'Prosperity for All: A Low Carbon Wales', and supporting public bodies and others to follow their lead.
- Framing the narrative on climate change as a wider well-being and economic activity.
- Support local initiatives on stewardship of land and renewable energy, to help Wales' transition to a low carbon society and bring a wide range of benefits to local communities.

A Globally Responsible Wales

Key Recommendation

Welsh Government should create a vision and plan to ensure Wales becomes the most eco-literate country in the world.

Process Recommendations

In their day to day actions Welsh Government should stop:

- Investing in fossil fuels.

A Resilient Wales

Key Recommendation

Welsh Government should commit to large-scale habitat restoration, creation and connectivity throughout Wales, which includes setting statutory targets for nature recovery and specific species recovery measures to help prevent extinction.

Policy Recommendations

Welsh Government should:

- Work with the Office of the Future Generations Commissioner for Wales to ensure there is guidance and effective accountability mechanism on the reporting of the Section 6 duty and the well-being goal of a Resilient Wales.
- Prohibit the use of pesticides by public bodies and set annual targets towards phasing out the use of chemical pesticides on land.
- Increase spending year on year in line with the recommendations of the UK Committee on Climate Change and as set out in my 10-point plan on the climate and nature emergency (also a recommendation in Chapter 2).
- Develop a food system strategy for Wales linking together all parts of the food system from farm to fork.
- Work with public bodies to deliver 20% tree canopy cover in every town and city in Wales by 2030.
- Set standards to ensure people can access natural green space within 300 metres of their home.

Process Recommendations

In their day to day actions Welsh Government should stop:

- Prioritising economic growth over the natural environment with environmental damage seen as 'collateral damage' for short-term growth.
- Implementing short-term grants for environmental initiatives.
- Funding programmes which cannot clearly demonstrate that they are maintaining or enhancing biodiversity.
- Seeing green infrastructure as only relevant to 'environment' departments.
- Permitting development within the protected site network.
- Failing to plan and design for biodiverse green infrastructure at the start of programmes and projects

In their day to day actions Welsh Government should start:

- Assessing opportunities for biodiverse green infrastructure in all policies and across all departments.

- Putting in place mechanisms so all policy officials understand and implement the Environment (Wales) Act 2016, Sustainable Management of Natural Resources (SMNR), State of Natural Resources Report 2016 (SoNaRR), Natural Resources Policy and Planning Policy Wales.
- Implementing accessible, longer-term funding programmes to restore the natural environment that go beyond single government terms in Wales.
- Ensuring a transition to sustainable land management, as proposed in 'Sustainable Farming and our land', while ensuring Wales' farmers have the resilience they need to thrive, and are front and centre in efforts to help restore the natural environment.
- Fully implementing the Sustainable Use of Pesticides Directive in Wales.
- Completing and protecting the protected site network.
- Analysing the provision of and access to nature by socio-economic disadvantage, particularly in respect of nationally funded programmes.
- Taking steps to raise public awareness about the impact of consumption on climate and nature, and promote sustainable community and individual action.
- Increasing investment in nature based solutions to alleviate flooding and other challenges.
- Taking urgent action at a pace and scale to combat the loss of biodiversity

Transport

Policy Recommendations

Welsh Government should:

- Allocate at least 50% of capital transport spend on improving bus and train services, providing long-term funding wherever possible.
- Adopt an approach to transport planning that supports 20-minute neighbourhoods i.e. with good local, sustainable transport and active travel options.
- Fully integrate transport, housing and land use planning to minimise the need for people to travel.

Process Recommendations

In their day to day actions Welsh Government should stop:

- Prioritising investment in building new roads.
- Allowing plans for car-dependent, out of town buildings and developments with poor access to public transport links.
- Allowing incorrect implementation of the WeTAG Guidance and only provide funding for schemes that have applied WeTAG properly.
- Prioritising car travel over other modes, including allowing developments and office spaces with large car parks, focussing on car parking space while neglecting to support people to take public transport and provide high-quality cycle facilities.

In their day to day actions Welsh Government should start:

- Prioritising support and investment in bus and train services across Wales to offer affordable public transport.
- Measuring the carbon impact of transport investment and the carbon impact of transporting goods to ensure decision are supporting our emission targets.

- Prioritising support and investment in walking and cycling infrastructure to achieve wider benefits to people and communities.

Housing

Policy Recommendations

Welsh Government should:

- Within the next year, set out how a long-term plan on how they will fund the decarbonisation of homes in line with carbon emissions targets.
- Require all publicly funded housing developments to be carbon neutral and demonstrate how they are meeting the broader requirements of the Well-being of Future Generations Act.
- Explore the use of financial levers through the Social Housing Grant and Innovative Housing Programme to encourage innovation in developing intergenerational housing, and communities and use taxation levers to incentivise intergenerational house-sharing.
- Ensure that Design Quality Requirements should be updated to reflect the future in terms of smart-homes and assisted living technology.

Process Recommendations

In their day to day actions Welsh Government should stop:

- Funding the development of homes which are not carbon-neutral.

In their day to day actions Welsh Government should start:

- Better supporting and resourcing commitments to bring empty properties back into use.

You may also find the recommendations in relation to leadership and cultural change in Welsh Government and Public Bodies of interest. You can find these recommendations [here](#) and [here](#).

Annexe 2

Future Trends to Watch

Current Trends:

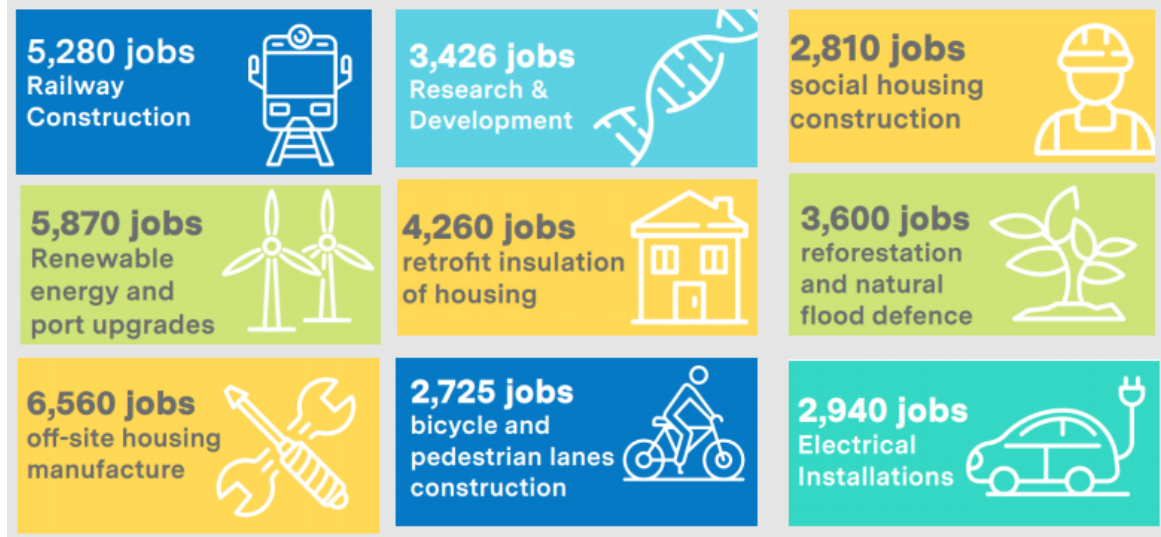
- Since 2010, global greenhouse gas emissions without land use change [have grown at 1.3% per year on average](#), with preliminary data suggesting a 1.1% increase in 2019.
- [More countries are passing net zero legislation.](#)
- Many impacts of climate change are already being experienced such as a warmer climate, severe weather events, flooding and sea level rise and they will continue to get worse. Global mean temperature in 2020 was the [second warmest on record](#).
- Despite a brief dip in carbon dioxide emissions caused by the coronavirus pandemic, the 2030 carbon emission reduction pledges, made by 184 countries under the Paris Agreement, aren't enough to limit global warming to below 2°C and pursue 1.5°C. [The world is still heading for a temperature rise in excess of 3°C this century.](#)
- [Over 80% of the ocean area](#) experienced at least one marine heatwave in 2020.
- Climate change is currently affecting [19% of species listed as threatened](#) on the International Union for Nature Conservation Red List of Threatened Species, increasing the likelihood of their extinction.
- Industry related greenhouse gas emissions have [continued to increase](#).
- Wales's ecological footprint, at [10.05 million global hectares](#), is roughly five times the size of Wales.
- [Flood risk has significantly increased](#), as demonstrated in January 2020, when parts of Wales experienced severe flooding.
- 80% of journeys to work in Wales are made by car, [increasing by 9% since 2003](#). Rail use has also seen an increase while bus travel has been declining

Future Predictions:

- There is likely to be [less](#) suitable land available for development as flood plains and other lower lying land becomes increasingly prone to flooding.
- It has been estimated that a [2°C rise in temperatures will add 189 million more people](#) to the 800 million already suffering from food shortages.
- With further warming we can expect further disruption and irreversible losses of natural habitats and resources.
- The 'green economy' is expected to grow, with roles in manufacturing, agriculture, construction, energy and transport.
- Moving to [100% renewables in Wales](#) can increase energy security, reduce fuel poverty and tackle climate change.



- Investment in key infrastructure projects in green industries and nature restoration could create [45,000 direct jobs and over 60,000 indirect jobs by 2022](#), including:



Agenda Item 3

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith /

Climate Change, Environment and Infrastructure Committee

Blaenoriaethau ar gyfer y Chwchedd Senedd / Priorities for the Sixth Senedd

PR87

Ymateb gan Cyfeillion y Ddaear Cymru / Evidence from Friends of the Earth Cymru

Annwyl Bwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith,

Diolch am y cyfle i gyfrannu at waith y pwyllgor wrth i chi ystyried eich rhaglen gwaith a blaenoriaethau'r llywodraeth yma, rydyn ni'n edrych ymlaen at gydweithio gyda chi dros y tymor nesaf.

I enclose our priorities as Friends of the Earth Cymru as set out in our 'Climate Action Plan – a green and fair recovery for people and communities'.

This was launched last year and proposed to parties during the Senedd election campaign, so there have been updates in some areas such as waste and transport since then, but we feel that it remains relevant, especially given the broad nature of the new Climate Change Ministry and the work that remains to be done.

Yn Gymraeg – [HYPERLINK](#)

["https://foe.cymru/sites/default/files/CynllunGweithreduHinsawddiGymru%20%282%29.pdf"](https://foe.cymru/sites/default/files/CynllunGweithreduHinsawddiGymru%20%282%29.pdf)

<https://foe.cymru/sites/default/files/CynllunGweithreduHinsawddiGymru%20%282%29.pdf>

In English - [HYPERLINK](#)

["https://foe.cymru/sites/default/files/A4_ClimateActionPlan_WALES_FINAL.pdf"](https://foe.cymru/sites/default/files/A4_ClimateActionPlan_WALES_FINAL.pdf)

https://foe.cymru/sites/default/files/A4_ClimateActionPlan_WALES_FINAL.pdf

The Intergovernmental Panel on Climate Change (IPCC) recently released its [most alarming scientific report yet on climate chaos](#). It has been described by UN Secretary General António Guterres as being "a code red for humanity".

Some key findings from this report state that:

- Global surface temperature was 1.09C higher in the decade between 2011-2020 than between 1850-1900.
- The past five years have been the hottest on record since 1850
- The recent rate of sea level rise has nearly tripled compared with 1901-1971

- Human influence is "very likely" (90%) the main driver of the global retreat of glaciers since the 1990s and the decrease in Arctic sea-ice
- It is "virtually certain" that hot extremes including heatwaves have become more frequent and more intense since the 1950s, while cold events have become less frequent and less severe

[Scientists are also now warning](#) that we have 4 years in which to turn things around and ensure that within that timeframe that climate emissions have peaked.

This stark warning and revised time frame for action should now lead to even greater efforts on behalf of all sectors, industries and public bodies in Wales to reduce emissions in line with current climate science.

As well as of course tackling the major sources of emissions in Wales, we would also like to see action taken immediately to reduce and eliminate emissions from small scale sources. Pinpointing and targeting some of these could help us reduce overall emissions quickly whilst also generating momentum for further change in Wales. Examples of these from our Climate Action Plan are stopping the subsidy for the north-south air link, and taking action to encourage public body pension funds to take their money out of fossil fuel companies.

We would also emphasise our global responsibility and the significance of the emissions we use and consume in Wales as well as those we directly produce. Although our legislative carbon budgets and carbon reduction targets don't include those it is crucial that we take responsibility for our global footprint and impact on the world, and work to reduce those emissions as well.

I look forward to giving oral evidence at the end of the month and can elaborate at that stage.

Pob hwyl

Haf

Haf Elgar

Cyfarwyddwr / Director

Cyfeillion y Ddaear Cymru / Friends of the Earth Cymru

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith /
Climate Change, Environment and Infrastructure Committee
Blaenoriaethau ar gyfer y Chwchedd Senedd / Priorities for the Sixth Senedd
PR 48

Ymateb gan Cronfa Bywyd Gwylt y Byd (WWF) Cymru /
Evidence from World Wide Fund for Nature (WWF) Cymru



WWF Cymru

Tŷ Churchill
17 Ffordd Churchill
Caerdydd CF10 2HH
Ffôn: +44 (0)29 2045 4970
cymru@wwf.org.uk
wwf.org.uk/cymru

Churchill House
17 Churchill Way
Cardiff CF10 2HH
Tel: +44 (0)29 2045 4970
wales@wwf.org.uk
wwf.org.uk/wales

We are WWF Cymru, and we are fighting to restore and protect Welsh nature, tackling climate change and reduce Wales global impact on nature. We're determined to ensure that people and nature can thrive together, for generations to come.

Committee priorities for the 6th Senedd

- The future of food, farming and land use in Wales
- Wales' global impacts on climate and nature overseas - global responsibility
- Low carbon delivery plan and 2nd carbon budget
- Environmental governance and principles bill
- Welsh Seascapes
- The nature emergency and nature targets
- Innovative funding

The Future of Food, Farming and Land Use in Wales

In the Minister Julie James' letter to the committee outlining Welsh Government's priorities in relation to climate change, environment and infrastructure, we noted that the letter did not specifically refer to the key role that the food and farming sector needs to play. Importantly, it did not acknowledge that our food system is at risk from a changing climate. It also directly contributes towards climate change, with agriculture contributing around 16% of Wales' total

greenhouse gas emissions¹. Based on UK data, food manufacture, transport and retail emissions account for another 5.5%. Furthermore, unsustainable land use is one of the key drivers of biodiversity loss, with more than 80% of Wales' land utilised for agriculture. Crucially, our land is our biggest natural defence against climate change and it could be our biggest ally in restoring nature. We therefore believe that this committee has to consider within its priorities the crucial role of food and farming (from farm to fork – production to consumption), and land use.

The Legislative Programme confirmed that the Government plans to bring the Agriculture Bill to the Senedd in this Senedd year. This critical piece of legislation will shape our landscapes, ecosystems and rural communities for many years to come. WWF Cymru sees ecological resilience, food production and the long-term viability of farming in Wales as interdependent; a healthy environment underpins food production itself. For example, robust, healthy living soils are vital for the medium and long-term viability of Welsh agriculture and our food supply, as well as being crucial for carbon sequestration and biodiversity.

The Agriculture Bill must therefore respond to the triple challenge of delivering high quality sustainable food whilst restoring nature and getting to carbon net zero. The recent IPCC report adds significant context to this ambition and the Government will have to consider the new data and advice contained in the report closely alongside its work on the Bill. **With this in mind, WWF Cymru strongly recommends that the Climate Change, Environment and Infrastructure Committee request joint scrutiny of the Agriculture Bill and proposed Sustainable Farming Scheme, with the Economy, Trade and Rural Affairs Committee.**

The Ministers letter talks about the need to step up investment in resilient ecological networks and transformative change to reverse the loss of biodiversity. We agree, and believe that the Sustainable Farming Scheme will be crucial vehicle for this in incentivising local and strategic landscape scale nature creation/restoration interventions which respond to the nature and climate emergency.

Wales' Global Impacts on climate and nature overseas - Global Responsibility

One of the key factors driving the global climate and nature emergency is deforestation and habitat loss. The International Panel on Climate Change is clear that without our forests, we will fail to limit global warming to 1.5°C. Wales needs to play its part by changing what it buys, consumes and invests in, since these choices can drive unethical practices and environmental degradation overseas.

Ensuring supply chains are fair, ethical and sustainable is important for a number of reasons, including Wales' obligation to establish itself as a Globally Responsible Nation in the Well-being of Future Generations Act for Wales. Wales has a responsibility to consider how its practices impact global habitats, but Wales also has an opportunity to demonstrate global leadership towards driving sustainability across commodity supply chains around the world.

¹ IPCC, 2021: Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Masson-Delmotte, V., P. Zhai, A. Pirani, S. L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M. I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J. B. R. Matthews, T. K. Maycock, T. Waterfield, O. Yelekçi, R. Yu and B. Zhou (eds.)]. Cambridge University Press. In Press.

More than 50% of global forest loss and land conversion is attributable to the production of agricultural commodities and forestry products demanded by consumers. Precious habitats like the Amazon are being burnt to clear land - rainforests are being destroyed to produce just a handful of commodities. Wales imports significant quantities of agricultural and forest commodities, some of which are driving deforestation and habitat destruction overseas. Whether that is commodities for the production of soymeal for livestock feed in Wales, palm oil used in everyday supermarket items, beef imported into Wales, cocoa used in many Welsh treats and desserts, or even rubber used to produce latex or car tyres.

WWF Cymru, along with RSPB Cymru and Size of Wales have formed a Deforestation Free Nation Partnership. We have commissioned research to provide data, for the first time in Wales, of the quantities of agricultural commodities: cocoa, palm oil, beef, leather, natural rubber and soy, and estimates of the quantities of forest commodities: timber, pulp and paper, that are imported into Wales. The report, to be launched in October this year, provides an analysis of Wales' demand for these agricultural and forest commodities that are driving deforestation and habitat conversion in the countries in which they are produced, contributing to biodiversity loss, greenhouse gas emissions and social issues.

The research confirms that an area equivalent to 40% of the size of Wales (823,000 hectares) was required overseas to grow Welsh imports of cocoa, palm oil, beef, leather, natural rubber, soy, timber, pulp and paper in an average year between 2011-2018. Crucially, 30% of the land used to grow Welsh imports of commodities is in countries categorised high or very high risk for social and deforestation issues. This means commodity supply chains supplying Wales in these countries risk deforestation, conversion of natural ecosystems and/or social issues, such as child or forced labour. The GHG emissions associated with the conversion of natural ecosystems and changes in land cover for the production of Welsh imports of soy, cocoa, palm and natural rubber total 1.5 million tonnes CO₂ each year. This is equivalent to 4% of Wales' total estimated domestic and imported goods carbon footprint, or 22% of the GHG emissions from transport in Wales. However, this overseas impact is not accounted for in Welsh carbon budgets. There is a need for Scope 3 emissions to be accounted for i.e. emissions across the 'cradle-to-grave' supply chain of the product – from the extraction, production and transportation of raw materials, to the finished product's transportation to the customer, its use and its disposal.

The research is clear – if we are serious about tackling climate change and nature loss in Wales, we have to also address our overseas impacts. We would welcome committee scrutiny in relation to Wales and global responsibility.

Low carbon delivery plan and 2nd carbon budget

We agree with the Minister on the need for the 2020s to be 'the decade of action' if we are to meet net zero by 2050. We also agree of the importance of the second Low Carbon Delivery Plan and carbon budget in working towards this 2050 objective. Given the new commitment to a 2050 net zero target, we want to see a tightening of targets and transparent, timebound pathways towards identifying them, particularly clear detailed pathways for agriculture and land use, as well as blue carbon (carbon captured by the ocean and coastal ecosystems through e.g. seagrass). We also want to see scope 3 emissions accounted for in carbon budgets. We are unclear as to whether Welsh Government will set sectoral emission targets in the second low carbon plan, and if they did, what the level of ambition would be and how

they would get there. We believe there could have been more stakeholder engagement and co design of the second Low Carbon Delivery Plan which we believe is due to be launched in COP 26. We would therefore welcome immediate committee scrutiny on the second Low Carbon Delivery Plan and carbon budget.

Environmental governance and principles bill

There needs to be a shift in priority to bringing forward the environmental governance and principles bill as it is crucial in establishing environmental governance arrangements and principles in Wales post Brexit. We were disappointed that this legislation was not included in the Welsh Government's legislative programme for the first year of this Senedd. While we welcome the appointment of the Interim Environmental Protection Assessor, we would stress that this appointment does not bridge the governance gap which arose on the UK's departure from the EU at the start of this year. It therefore does not diminish the urgency of legislating for the robust long-term arrangements needed to do so, as has been done or is near completion in all of the other UK countries. We would like scrutiny of this work to be prioritised, and allocated sufficient government resource now, to ensure that a bill can be laid early in the second year of the Senedd. We would stress our support for the next, urgent phase of development of policy and legislation to establish an independent environmental governance oversight body; enshrine a high level objective and core environmental principles to fill gaps left by EU withdrawal; and create a framework for statutory nature recovery targets.

Welsh Seascapes

Julie stated in her letter to the committee "Our vision for our seas is that they are clean, healthy, safe, productive, and biologically diverse. Wales has important marine habitats, such as seagrass forests and saltmarshes. Our approach is structured around assessment, protection and management, and restoration. Effective marine planning for, and regulation of, new development is crucial to enabling sustainable marine sector growth, particularly for the development of marine energy projects to contribute to net zero".

There is a need for this committee to scrutinise Welsh Government plans in relation to Wales' marine environment. In the Programme for Government there is a particular commitment to develop a scheme to restore seagrass and saltmarsh. Committee scrutiny should focus on how they intend to develop the scheme and how much money they are resourcing it with. We believe the Welsh Government should be leading and co-ordinating coastal habitat restoration efforts, with incorporation of seagrass restoration & expansion, and ambition to develop seaweed opportunities for example as agricultural feed and food products.

The nature emergency and nature targets

This is a crucial period for biodiversity at a global level, with the Convention on Biological Diversity likely to take place next year in China having been postponed this year. The hope is that this conference will achieve for biodiversity what can hopefully be achieved for the climate at COP26 in Glasgow. If the Welsh Government is serious about addressing the nature crisis in Wales it will need to continue to show leadership, to support ambitious global targets to restore biodiversity and to commit to embedding targets in domestic law. This will provide crucial accountability and focus Welsh Government's attention on achieving the targets and milestones, in the same way we have seen happen on climate. Along with RSPB and WEL

we jointly published a report titled *Putting Wales on a Path to Nature Recovery* in June which we would like the committee to consider. Many of the actions that we need to take to protect threatened wildlife will also serve as nature-based solutions to flooding, soil erosion and water and air pollution and also help capture carbon to reduce net greenhouse gas emissions. We need to adopt a nature positive approach, recognising the value of nature, placing it on the path to recovery and transforming our world to one where people, economies and nature thrive.

In the absence of clear and binding targets, we have not seen joined up action at the scale that is needed. We simply can't wait for years to the Welsh Government to set, and then implement nature targets. Targets are needed now. It is vital for this Committee to take up the agenda left by its predecessor and give a clear lead on this issue, so that that tackling the climate and nature emergencies should be embedded into all the Welsh Government's key decisions. We therefore urge the Committee to consider this issue as the earliest opportunity.

Innovative funding

Government funding is insufficient to deliver nature restoration at the scale and pace that nature requires. WWF Cymru urges Government to embrace innovative funding mechanisms (such as Bonds) to leverage additional capital into to transition to regenerative farming and wider environmental outcomes. We support the delivery of transformational, systemic nature-based policy solutions that both sequester carbon and restore biodiversity.

I gael mwy o wybodaeth, cysylltwch â / For more information, please contact:

Emily Durrant, ffôn/phone: 029 2053 8517, e-bost/email: edurrant@wwf.org.uk



NRW Briefing: Welsh Government priorities in relation to climate change, environment, and infrastructure

September 2021

Introduction

NRW welcomes the opportunity to provide our views to the Climate Change, Environment and Infrastructure Committee on the [Welsh Government priorities](#) in relation to climate change, environment and infrastructure.

We undertake various pivotal roles which can support the Welsh Government's response to the climate and nature emergencies, and also contribute towards the delivery of prioritised infrastructure. This allows us to deliver integrated natural resource management to achieve positive outcomes for people, the environment, and the economy. For example:

- **Adviser:** We provide technical and evidence-based advice to Welsh and UK Governments and other key stakeholders on a wide-range of topic areas which include but are not limited to: waste management, water resourcing, climate change, biodiversity, energy, and spatial planning for the marine and terrestrial environments. For example, advice on how proposed changes to legislation or new legislation can potentially affect the environment and its natural resources.
- **Regulator:** We protect people and the environment by ensuring that businesses and individuals operate within the law when their actions impact on the environment.
- **Statutory consultee:** We are a statutory consultee in the planning system where we provide advice to planning authorities and developers on the potential environmental effects from proposed schemes.
- **Land Manager and enabler:** We manage 7% of Wales's land area as National Nature Reserves. We own and operate 500km of defences and 4,000 assets to reduce risk of flooding, and enable and facilitate the deployment of renewable energy production on NRW managed land.
- **Partner and educator:** We provide grant aid to help improve the environment, offer opportunities for people to learn about their natural surroundings, and work with partners on actions, research, and campaigns to increase water efficiency across all sectors. We work with stakeholders to deliver our Woodland Creation Programme to support the delivery of tree planting

- **Evidence gatherer and communicator:** We commission, undertake and collate environmental information to inform environmentally informed decision-making. We provide a flood forecasting and warning service, including a network of rain and river gauges and processing all information, and key player and adviser in emergency response to flood events.

We are supportive of the priorities that the Welsh Government has identified in their letter and have provided more detailed responses to each of the sections in it below. As part of this, we have also identified some additional areas which merit priority attention.

We welcome Welsh Government's commitment to develop permanent environmental governance arrangements following the end of the EU transition period. We consider this a priority and will welcome opportunities to support the Welsh Government to develop the required legislation.

One of our statutory responsibilities is to produce a [State of Natural Resources Report \(SoNARR\)](#) at the end of each Welsh Parliamentary term. The purpose of that report is to assess Wales' progress towards the sustainable use of natural resources.

Our most recent report published in 2020 highlighted that in order to tackle the nature and climate emergencies, transformative changes are needed to the way we live. Transforming the energy, food and transport systems will be a key part to this, as these are the biggest drivers of environmental change. We welcome the inclusion of two of these systems in the committee's list of priorities, as well as the intention to work across sectoral boundaries as this will be key to addressing the challenges Wales faces.

At the global level, the Dasgupta review (the Economics of Biodiversity) for the UK Treasury sets out its analysis on the changes in governance we need in order to address the nature and climate emergencies. It also shows how we can address the global impact of our use of natural resources and work towards the Wellbeing goal of 'a globally responsible Wales'. We would like to see the recommendations of the Dasgupta Review considered more explicitly in the Committee's list of priorities.

Climate Change

We support the legislated WG emission reduction targets and budgets, which are in line with the independent advice from the UK Committee on Climate Change. They provide a challenging and yet feasible route to decarbonise Wales. The focus now needs to shift to their delivery. While the imminent publication of the next Low Carbon Delivery Plan – *Net Zero Wales* will inevitably provide an important driver to action, it will be essential for the Plan to be seen as a living document rather than set for the next 5-year cycle. Many decarbonisation technologies and practices are evolving rapidly so periodic review of the Plan and barriers to delivery should be an important priority. Within NRW and the wider public sector, there are many challenges to decarbonisation, particularly transforming our buildings and procurement.

Whether at the global, national or local level, the response to climate change has been dominated by the need for decarbonisation – and in many respects quite correctly – but with the increasing frequency and magnitude of impacts of climate change and particularly extreme events, it is now essential that greater focus is given to climate risk and the need for adaptation. The recent publication of the Climate Change Risk Assessment: CCRA3

and the Sixth Assessment Report by the Intergovernmental Panel on Climate Change (IPCC) report reinforce the urgency of further action. Consequently, reviewing progress of delivery of the Welsh Adaptation Plan particularly in light of the revised CCRA risks should be a priority over the next 18 months. NRW is working towards applying the ISO14009 Adaptation Standard to deliver a coordinated approach to our management of climate risk across our remit and it will be important for all organisations to address climate risks in future.

Energy & net zero

We welcome the direction of travel that is set out in this letter in relation to renewable energy development, as well as Welsh Government's commitment to expanding local energy production, with hydrogen as part of the solution.

We would encourage focussing on the development of 'green hydrogen' as the preferred type of hydrogen for production and use in Wales where possible and sustainable. Green hydrogen production through electrolysis (with electricity from renewable sources) is consistent with the net-zero route.

Energy and decarbonisation is a fast-moving field with discussions happening around the role of many different technologies, including hydrogen, electrification and carbon capture and storage. The priorities for the next 12 to 18 months should become clearer following CoP26 and the resulting targets.

Regardless of the technologies used, reducing demand and increasing energy efficiency will be key to achieving net zero. We would like to see this reflected more strongly in the Committee's priorities.

As part of a systems approach to energy, as highlighted in the SoNaRR report, we would like to see the role of both energy supply and demand covered more explicitly. The role of consumers is a key part of the energy system, in terms of reducing demand via energy efficiency and of changes in supply via local generation. Welsh Government may wish to look at what support may be required to increase the uptake of micro renewables by households, alongside efficiency measures.

Another part of the energy system which requires special attention are industrial sectors such as steel, chemicals and cement as well as shipping and aviation, where current technology options for reducing emissions are limited. Decarbonising these sectors will require the development of new technologies which are not currently in use at scale. Many of the clean energy technologies available today need more work to bring down costs and accelerate deployment. This calls for urgent efforts to accelerate innovation.

Innovative approaches are also needed for energy storage or what fuel will be used when demand cannot be met by renewables. This may or may not include fossil fuels as well as waste and biomass (with carbon capture) and nuclear. The Welsh Government's current position on energy from waste and the circular economy is clear. However, it is likely that it will always be difficult to recycle waste and from the options currently available to us, recovering energy from unrecyclable waste streams is preferable to landfill. When district heating systems are included with such schemes there is potential for reliable energy and heat supply and a waste management solution at the same time.

Future Wales and the policy direction provided in Planning Policy Wales provides a framework intended to steer the right forms of renewable energy technologies to the locations better suited to accommodate such development. It will be important to keep under review how those policies are effective in supporting the delivery of renewable energy technologies whilst ensuring the protection and enhancement of our environment. Additionally, we should be alive to any challenges to deliver the required transmission network infrastructure.

We are pleased to see that Welsh Government is exploring how to make use of the proposed UK Emissions Trading Scheme to deliver on Wales' ambitions for decarbonisation.

The Marine Energy Programme

We agree that the marine energy programme has the potential to be an important driver of investment and jobs. Given Wales' extensive wind, wave and tidal energy resource, marine renewable energy development has the potential to deliver low carbon energy at considerable scale, beyond that already achieved in Welsh waters.

In order to fulfil this potential, alongside Welsh Government's commitment to nature recovery, it will be essential to ensure that development takes environmental capacity into consideration. Consenting novel and large-scale marine technologies is complex and a challenging process for developers, regulators, advisors and government. We consider that decision-making legislation is fit for purpose but gaps in marine environmental evidence are a particular challenge and can cause consenting delays because of the uncertainties about the significance of environmental impacts.

A coordinated policy approach will also be critical to optimising choices between technologies and locations, and to provide the necessary support for strategic planning and evidence gathering. The aim should be to ensure that we have the right technologies in the right locations so that our response to the climate emergency is consistent with our response to the nature emergency. The Welsh National Marine Plan has made a start but more specific policy, planning and evidence gathering is needed. NRW's Offshore Renewable Energy Programme is also working to address this challenge.

Tree Planting

We are supportive of the letter's inclusion of priorities which aim to achieve a step-change in the rate of tree planting. Achieving this change will rely to a large extent on the implementation of the recommendations of the Deputy Minister's deep dive into tree planting. In addition, more clarity is needed on the delivery of the National Forest.

As a long-term strategic programme, the National Forest programme needs to complement other initiatives, including the development of the Sustainable Farming Scheme and any new woodland creation, management and restoration scheme that replaces Glastir. This will require a coordinated approach, including engaging and working with farmers, landowners and communities, as well as a clear medium to long-term commitment to funding and innovative finance solutions. Work to raise the profile of timber,

to support the sector and encourage more widespread use in construction, is also important and will be addressed through the development of an Industry Strategy.

We welcome Welsh Government's commitment to publish a new Woodlands for Wales Action Plan later this year and are of the view that this should be ambitious and forward looking and reflect all the twenty outcomes of the Woodlands for Wales strategy.

More action is needed to improve the resilience of newly planted, as well as existing, woodlands. Climate change, pests and diseases and air pollution pose a particular risk to resilience. Sound silvicultural management, in accordance with the UK Forestry Standard, should be at the heart of a drive for more woodlands diverse in terms of species and age.

Finally, trees and woodlands have a vital role to play in helping to tackle both the climate and nature emergencies, for example by sequestering carbon and helping to mitigate some of the impacts of climate change. This applies not only to rural woodlands, but also to the urban environment, such as street trees and trees in parks and gardens. We'd like to see the importance of trees and woodlands as a nature-based solution reinforced at every opportunity.

Nature and biodiversity

The crises of climate change and biodiversity loss are inextricably linked. Biodiversity loss is made worse by climate change, and vice versa. However, creating and restoring biodiverse habitats on land and in our seas lock up carbon, and nature can also provide solutions for helping us to adapt to climate change, such as by reducing flood risk. This inextricable link between the crises of biodiversity loss and climate change is why we need to tackle them together. We need to demonstrate a route to becoming Nature Positive by 2030 whilst also contributing to Net Zero commitments. This will support UK and international ambition at COP15 and COP26.

Nature needs sufficient space with appropriate protection to support thriving species populations and healthy resilient ecosystems. Targets can inform the scale of action required and promote and highlight action by the range of individuals and sectors. Robust targets are important to guide action and resource allocation. Legally binding targets for nature could provide a strong mechanism to ensure action on the ground in Wales.

At sea we need to continue to focus effort on improving the condition of the extensive network of marine protected areas, in order to both build marine ecosystem resilience and enhance blue carbon stores.

As well as the actions required to support nature recovery on the ground, we also need to look at what changes need to be made to transform the socio-economic systems that are currently driving the loss of biodiversity.

Circular economy

Enabling the movement towards a circular economy is an important factor in decarbonising Wales, and we agree with the Welsh Government that further reducing the amount of waste generated and ensuring that produced waste can be truly reused or recycled is key. Where neither is possible, the waste is disposed of appropriately. We welcome the enhanced importance attached to waste reduction in the Welsh Government's waste strategy, Beyond Recycling, which makes commitments and identifies actions to achieve a one planet resource use and zero waste aspiration for 2050.

Recent legislation such as the Environment (Wales) Act 2016 has made provision for increasing the amount of materials for recycling, improve the quality of materials available for recycling, and ensure that materials that could be recycled are not wasted. We are currently advising both the Welsh and UK governments on further legislation such as on proposals for extended responsibilities for waste producers, proposals for further restrictions on recyclable materials sent to landfill, and mandatory waste data tracking. These will help achieve the aims set out in Beyond Recycling. However, careful consideration will be required to understand what will be required by different actors to effectively implement the intended aims of the new legislation. Additionally, we cannot overlook the current problem of waste crime and its adverse impacts in delivering a circular economy, including its impact on resourcing the delivery of existing and new legislation and government aspirations. Identifying and supporting innovative solutions to tackle waste crime should go hand in hand with developing and delivering new approaches for delivering a circular economy.

Environment

We welcome the recognition by the Committee that addressing the challenges that our environment faces will require Wales to take a systems approach, which looks at the root causes for change and the use of technological innovations and behaviour change to address these.

We welcome the inclusion of the water ecosystem in this section. Good water quality and a reliable water supply are essential for the health and well-being of people, critical for a thriving economy and vital for nature. For that reason, we'd like to see the focus of the Committee to be broadened out beyond wastewater, to cover the sustainable management of water, particularly as both supply and demand for water faces a number of pressures, including climate change and increases in overall water usage.

For flood risk management, we have identified a number of major challenges. These are summarised below:

1. We need to properly look after all the infrastructure and assets that have already been put in place to help manage flooding. As well as flood defences, that includes flood warning systems, flood modelling and mapping tools, networks of community flood plan leads and on-line resources of information and advice. All of these need continued investment to avoid the risk of flooding increasing.
2. The need for adaptation, at pace. Climate change is happening at a rapid pace. We need to make plans for the long term for our communities at locations at greatest

risk and we need to start implementing these when trigger points are met. We need to identify the pathway to adaptation, at a catchment scale. It is about making space for significant quantities of water, and taking tough decisions on spatial planning and what it means for communities. This is a significant amount of work in terms of resource and effort.

3. The need for building resilience, again at pace. We need to ensure that there is a real understanding of the risks of flooding and what communities can do to help themselves and each other. It is also about increasing property resilience to flooding, so that when homes and businesses are flooded, they can be up and running as soon as possible afterwards.

Town Centre Regeneration

We welcome Welsh Government's Transforming Towns Programme and we agree that green infrastructure/nature-based solutions have an important contribution to ensure the long-term sustainability of towns and city centres and the wider benefits to people and the benefits from their natural resources. It can help to create an environment that is more attractive to both people and wildlife, deal with problems like surface water flooding as well as encourage investment into town and city centres.

SoNaRR2020 identified the loss of urban trees and an increase in flooding as some of the issues of concern in the urban environment. These issues could usefully be considered as part of the Transforming Town Programme. This will require long-term thinking and investment as some green infrastructure solutions, such as urban trees and sustainable drainage schemes, will take many years to deliver the full range of benefits at scale, that they are able to provide.

Agenda Item 4

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith /
Climate Change, Environment and Infrastructure Committee
Blaenoriaethau ar gyfer y Chwchedd Senedd / Priorities for the Sixth Senedd
PR 110
Ymateb gan Yr Athro Richard Cowell / Evidence from Professor Richard Cowell

Professor Richard Cowell
School of Geography and Planning, Cardiff University
16th September 2021

Introduction

I am delighted to have the opportunity to present evidence at this Committee session on setting priorities for the Sixth Senedd. This written statement is offered in support of my contribution to the oral evidence session, scheduled for 30th September 2021. It is offered in a personal capacity, rather than representing the collective view of Cardiff University.

With the IPCC issuing a 'code red' on our collective need to address climate change, and the 2020s being the 'decade of action' for addressing the climate and nature crises, there has never been a more important moment for the Committee, to ensure that the Welsh Government is held to, and is delivering on, objectives that are commensurate with the challenges ahead. The urgency of the situation should affect the priorities of the Committee in two ways:

- In the lines of questioning pursued
- In the substantive areas that might be scrutinised

I deal with each of these in turn

Process priorities - lines of questioning for climate and nature crises

The context of climate and nature crises, and the requirement for demonstrable action in the next decade, elevates the salience of the following lines of questioning.

Time compression. It is important to establish when proposed measures are likely to deliver, to ask suitably critical questions of measures with no immediate prospect of delivery, and to recognise the merits of quickly scaling back or halting activities that exacerbate adverse effects on climate change and biodiversity.

Comprehensiveness. The need to achieve net zero elevates the importance of understanding the total climate and material effects of projects and policies - e.g. the embedded carbon of construction projects and the underlying resource demands – and bringing them into the frame.

The importance of recognising time compression, and looking at projects comprehensively, should recast the way in which infrastructure in particular is considered. Often, infrastructural agendas are characterised by shopping lists of ‘must haves’ and exhortations to deliver them faster. The requirement for rapid, demonstrable progress on climate change and biodiversity decline means that development-led shopping lists should be subject to closer scrutiny. It also means recognising the potential positive value of strategies that call a halt to potentially damaging infrastructure strategies – the Welsh Government’s suspension of new roads scheme is a good example. It also means that policy strategies with few short-term adverse impacts, and which act quickly, such as those reliant on efficiency (of energy or other resources) and behavioural change become of particular importance.

Substantive areas

In addition to these general points, I suggest the following substantive priorities.

1) A ‘net zero’ target for nature and a governance framework for delivering it

The inception of ‘net zero’ legislation for climate change is one of the most important pieces of recent public policy. It attains this importance by deriving from science-informed goals of the environmental state we need to reach, by being specific and time limited, and by being backed by strong governance machinery that assist in holding governments to account. If the results are not always comfortable for government, this may be a sign that it is working.

A key priority is to provide the same for nature and biodiversity. Wales needs firm targets that are substantively meaningful, derived from the levels of biodiversity conservation that need to be achieved for long-term sustainability, with time frames that align with this. This means a departure from most conventional policy arrangements for nature conservation and policy, which tend to pursue incremental improvements from the status quo ex ante, and therefore often fall short. Effective targets also facilitate the work of oversight, scrutiny and regulatory action, for Wales’s Future Generations Commission and proposed office of environmental protection. The EU, England and Scotland are to introduce legally binding nature-related targets, within the context of the forthcoming revision to the UN Convention on Biological Diversity. This priority also entails giving close scrutiny to ‘proxy targets’ that might not necessarily deliver the required environmental outcomes (e.g. for tree-planting, or simply increasing areas under protective designations).

2) Corporate ownership of nature/biodiversity targets

Corporate ‘ownership’ of nature/biodiversity targets across Welsh Government is also critical, for example how firmly nature- and climate-related targets are instituted in the operation of the planning system, and how multiple departmental areas with land use responsibility work together. This matters because it is vital that planning decisions are taken which support the delivery of nature and biodiversity objectives; ditto other, infrastructural sectors like transport, and systems of agri-environment support. But it is also matters when it comes to how nature restoration and enhancement are financed. It may be that spatial planning provides an important arena for mapping key areas for action (Nature Networks, for example), but evidence shows that planning-related mechanisms like planning gain will fail to fund the levels of enhancement necessary to achieve the required environmental outcomes.

3) Looking for synergies between targets

A key quality of more natural, green spaces is their potential multi-functionality or, to use a contemporary concept, their capacity to deliver multiple ‘eco-system services’. Usually such multi-functionality is considered at the local, site-specific level. But, there is under-exploited traction in examining the synergies for nature/biodiversity between different strategic targets. To give some examples, nature/biodiversity could be the beneficiary of (i) more strongly precautionary, ecologically-led approaches to reducing flood risk and climate change adaptation, or (ii) greater emphasis on land-based solutions to climate change (e.g. peatland carbon storage, afforestation).

In addition to the above, there are a number of complex policy areas where decisions taken in the next few years may affect future carbon ‘lock-in’ for Wales for decades ahead.

4) The appropriate role for Hydrogen in future energy systems

One pressing debate concerns the role of Hydrogen, as an energy source that can substitute for fossil fuels. Given the different carbon balances associated with ‘green’ (renewable energy-derived) and ‘blue’ hydrogen, and the specific set of risks associated with hydrogen, it is vital to scrutinise what roles hydrogen might and should play in future energy systems. As with previous energy questions, there is a risk that the approach in Wales is to see hydrogen purely in terms of jobs-generating investments, and to be relatively mute on these strategic environmental and energy system questions.

5) Decarbonising heating in buildings

With the UK government prevaricating on whether and when to ban the installation of gas boilers on new homes, the challenges of retrofitting existing buildings’ heating systems, and evolving debates about the relative merits of all-electric solutions or substituting hydrogen for natural gas, it is vital to accelerate informed, Wales-level dialogue on this issue, and to put the Welsh Government’s approach under scrutiny. Despite its centrality to ‘net zero’,

the subject was not mentioned in the Welsh Government's 30th July 2021 response to the committee.

6) The devolution settlement, post-Brexit and the environment

While the following may fall outwith the CCEI Committee's remit, narrowly construed, there is a series of issues where the ability of Wales to achieve its environmental objectives is contingent on the presence and influence of the Welsh Government and other Welsh institutions in various UK government arenas:

- The negotiation and content of trade agreements
- In the implementation of the Internal Market Act (the subject of a current Judicial Review, pursued by the Welsh Government)



Introduction

Thank you for the opportunity to submit views to the Committee on its priorities for the Sixth Senedd. In establishing the new Ministry for Climate Change Environment and Infrastructure the First Minister [committed](#) to putting the environment, biodiversity and climate change at the heart of decision making. Whilst we recognise that the [paper](#) outlining the Minister and Deputy Minister's portfolio priorities for the next 12 – 18 months sets out a series of focus areas and not necessarily a comprehensive schedule, it does omit key areas of work.

Nature and climate emergency

Wales Environment Link welcomed the Senedd declarations, backed by the Welsh Government, of first a climate emergency and, more recently, a nature emergency. The role of this Committee, and of this Senedd, in setting the course to ensure Wales' response is ambitious enough to address this challenge, could not be more critical, and the ongoing work towards new global agreements on climate change and biodiversity provides critical context for the Committee in determining its priorities.

In June 2021, [IPBES & IPCC published a joint report](#) based on a [workshop](#) bringing together the world's leading biodiversity and climate experts. The report states that biodiversity loss and climate change are both driven by human economic activities and mutually reinforce each other. Neither will be successfully resolved unless both are tackled together. Further, while there are many potential win-wins in tackling climate and nature together, narrowly-focused actions to combat climate change can directly and indirectly harm nature and vice-versa. Examples of climate change measures that have potential to harm nature are planting trees in inappropriate places; monoculture afforestation; and poorly located renewable energy infrastructure.

The Welsh Government's commitment to integrating the response to the climate and nature emergency across all activity is very welcome. This Committee will have an important role to play in ensuring this is effectively delivered, and that nature recovery as well as climate objectives are mainstreamed across government.

Reviewing environmental law, Natural Resources Wales and regulatory bodies

In recent evidence sessions at the Senedd the Minister for Climate Change Julie James MS confirmed that the Welsh Government is undertaking a "review of where regulatory bodies sit together – Welsh Government, Natural Resources Wales, local authorities and various other statutory bodies". Presumably this follows calls from the Welsh local government association to review the functions of NRW specifically in relation to flood management. During the [JLC Committee 120721](#) the Minister also stated that Officials had been asked to "scope out a possible review of environmental law in Wales." Although no further details of these reviews are available and therefore their scope remains unclear, these are potentially significant areas of work that should be of interest to the Committee. In this context we note that the Senedd has not to date undertaken post legislative scrutiny of the Environment Wales Act 2016, which created a new statutory purpose for Natural Resources for Wales and the statutory framework for the sustainable management of natural resources. Scrutiny of the implementation of the EWA and that of NRW's broader statutory duties and functions is key to determining whether the intended environmental outcomes are being achieved. It would therefore seem timely to consider this as part of the CCEI Committee's priorities for the Sixth Senedd, alongside the reviews announced by the Minister.

Environmental governance post Brexit – interim and longer term arrangements

The letter outlining the Minister's priorities makes minor reference to the interim environmental governance arrangements and ongoing work with stakeholders to develop permanent arrangements. There are a number of matters relating to environmental governance and principles that require the Committee's consideration.

An environmental governance and principles bill

The previous Welsh Government had [committed](#) to “take the first proper legislative opportunity to enshrine environmental principles into law and close the governance gap” back in 2018, with First Minister Mark Drakeford stating that the Welsh Government “*will also bring forward an environmental principles legislation during the next Assembly term, if we’re in a position to do so*” in the [legislative statement](#) on the 15th of July 2020. The intention was to bring forward an environmental governance and principles bill in the Sixth Senedd, with the previous Minister Lesley Griffiths MS committing in November 2020, to continuing to work with the stakeholder task group with the aim of bringing forward a White paper on the permanent (statutory) arrangements after the Senedd election in May. It was also [stated](#) at the time that further steps may be taken to strengthen the interim arrangements, alongside the development of a shadow body ahead of the legislation being laid and establishment of the new body in law.

In evidence sessions on the Environment Bill LCM at the [Legislation, Justice and Constitution Committee on the 12th of July 2021](#) and the Climate Change Environment and Infrastructure Committee on the 15th of July, the Minister for Climate Change Julie James MS clarified a number of points in relation to proposals for an environmental governance and principles bill for Wales, and the existing non statutory interim arrangements introduced on the 1st of January this year.

During the CCEI Committee 150721 the Minister confirmed that “the environment principles and governance Bill isn't in the year 1 programme” and that the Welsh Government was working towards a bill “hopefully in year 2” but that she was “not in a position to promise” that it would be included in year 2. The Minister explained that she had to “negotiate with Government colleagues” and go through the “normal Government process for putting forward Bills from your portfolio” but that there was “only so much space in the legislative programme”.

There appears to be a shift in priority given to bringing forward legislation necessary to establish environmental governance arrangements and principles in Wales post Brexit, in contrast to previous commitments made. This is of major concern to WEL members. Wales is well behind the other UK countries in the establishment of domestic measures to address the governance gap, resulting in weakened environmental protection in spite of the recognised nature and climate emergency.

We note that the Minister spoke of the environmental principles and governance Bill as a potential vehicle for nature recovery targets – we welcome and support this, as set out in more detail below. We would emphasise that delay beyond the second year of the Senedd is not acceptable, and that there is no reason that a framework for statutory targets cannot be developed in line with this timetable.

Environmental Principles – Interim approach

In the absence of legislation, the Welsh Government is currently developing non statutory guidance on the application of environmental principles. This guidance is not subject to public consultation and the timetable for its introduction is unclear.

The EU-UK Trade and Cooperation Agreement (TCA) and environmental governance

The EU-UK Trade and Cooperation Agreement (TCA) contains sector specific environment and climate change commitments as well as a number of provisions intended to maintain high environmental standards. Whilst this is the responsibility of the UK Government, the absence of environmental governance arrangements in Wales is notable and requires consideration.

Interim governance arrangements and the role of the Interim Environmental Protection Assessor Wales (IEPAW)

In the absence of legislation, non statutory interim environmental governance arrangements were phased in from the 1st of January this year. Initially this included a web page, followed by the appointment of the Interim Environmental Protection Assessor Wales in March. The interim arrangements are intended for up to two years “during which time the Welsh Government will develop a permanent environmental governance oversight body, allowing for a period of transition from the interim to the new arrangements”. To meet this timeframe it is essential that a Bill should be brought forward in the second legislative programme.

Whilst we welcome the appointment of the IEPAW, the role of the Assessor as it stands is to consider matters relating to the functioning of environmental law rather than a complaints mechanism for

breaches of environmental law by public bodies. As such the role of IEPAW does not address the governance gap that arose when the UK left the EU at the start of the year.

The role of the Senedd in existing and longer term environmental governance arrangements

As WEL has highlighted [previously](#) the role of the Senedd in the interim and longer term governance arrangements is yet to be considered in detail. Initial discussions between the Trefnydd and Presiding Officer had been scheduled to take place in early 2021. The Chair of the CCERA Committee [wrote](#) to the Presiding Officer in December 2020 asking for clarity on the practical operation of the complaints system and the identifying the need to attach Welsh Parliamentary Commission resources to support emerging Parliamentary procedures. It remains unclear what progress if any has been made in this regard.

Statutory Nature Recovery Targets

Wales Environment Link strongly supports conclusion 26 of the Legacy Report of this Committee's predecessor in the fifth Senedd:

Conclusion 26. This Committee firmly believes that the next Welsh Government should introduce targets to arrest the decline and restore biodiversity. We believe our successor Committee should ensure the Welsh Government prioritises this matter during the first year of the next Senedd term.

The Sixth Senedd has, of course, already expressed its view on this, on 30 June this year, passing a resolution that formally declared a nature emergency and called on the Welsh Government to: "Introduce legally binding requirement to reverse biodiversity loss through statutory targets." This motion was supported by Welsh Government and the Minister has since spoken of her intention to bring forward an environmental governance Bill that could also provide a means to legislate for nature recovery targets, which we strongly welcome.

WEL Members were concerned, however, by the comments made by the Minister to this Committee on 15 July, that suggest that this legislation may not be given a slot even in the second year of this

Senedd. Furthermore, the Minister expressed a concern that developing statutory targets might hold up a governance bill. In our view there is no reason that the legislation for nature recovery targets cannot be produced in good time for a second year bill; and as stated above, further delay to governance legislation is unacceptable.

As set out in [Putting Wales on a Path to Nature Recovery](#), published by RSPB and WWF with the support of WEL in June 2021, the Bill should introduce key high-level duties that would not be time-intensive to bring in: a duty to halt and begin to reverse the loss of biodiversity by 2030 and achieve recovery by 2050; and a duty to set SMART long term and interim targets via secondary legislation, informed by independent expertise and scientific advice, and by the post-2020 CBD framework. These must be supported by a legal requirement on Ministers to ensure that the targets are met.

Putting Wales on a Path to Nature Recovery sets out a comprehensive case for long-term and interim statutory nature targets based on evidence including examples from other areas of policy and from approaches taken internationally. The Westminster Environment Bill will introduce a framework for legally binding biodiversity targets for England.

While there will be a need for alignment between domestic targets and the Post 2020 Global Biodiversity Framework that will be finalised in Spring 2022, there is no reason to wait until a final framework is agreed and published to start setting ambitions for Wales. The direction of travel is already clear, not only from the recent draft published by CBD but also from recent agreements including the [Edinburgh Declaration](#), the [Leaders' Pledge for Nature](#), and the [G7 2030 Nature Compact](#). Wales is [among the most nature-depleted countries in the world](#) and must be prepared to show leadership by acting swiftly on this agenda.

This is a win-win situation. Many of the actions that we need to take to protect and restore wildlife will also serve as nature-based solutions to flooding, soil erosion and water and air pollution and also help capture carbon to reduce net greenhouse gas emissions. The joint IPBES & IPCC report published in June 2021 made clear that neither climate change nor biodiversity loss can be successfully resolved without tackling both together. It also highlighted the potential for narrowly-focused action on climate to be damaging for nature, and vice versa. This underlines the need for nature recovery, as

well as climate, to be taken into account across Government decision making at all scales; statutory nature recovery targets will be key to ensuring this happens.

Climate and Biodiversity Education

The majority of climate related priority areas outlined in the Minister's letter are focussed on infrastructure and technology. Whilst welcome, we would urge that this area also needs to include the engagement and education of the people of Wales. Whilst climate awareness is growing, the skills and knowledge required to provide solutions for the future are currently limited. Outside of the more widely understood areas of car driving and energy efficiency, there is a significant lack of knowledge as to what people can do to tackle climate change through individual and everyday choices. It is evident that Environmental Education is needed for adults, as well as young people and children and we should not assume that there is a broad level of understanding across the population as to what can be done or what needs to be done to take action.

Keep Wales Tidy, through the Eco-Schools Programme, and Size of Wales have been delivering environmental education for a number of years and have recently undertaken a number of successful training programmes with teachers. This training was well received but both charities have highlighted the current lack of understanding of environmental challenges, including climate change, biodiversity loss, pollution and over-consumption. RSPB Cymru's report [Every Child Outdoors Wales](#) outlines an "extinction of experience", a phenomenon where children are having less experiences in nature than ever before in history, and the impacts that this nature deficit can have on their development. Whilst there is significant support for the need to teach these issues, and pupil led learning is directing educators to engage in these issues, in many cases, there is a gap in the skills, knowledge and confidence to effectively engage learners.

The Future of Food, Farming and Land Use in Wales

In the Minister Julie James' letter to the committee outlining Welsh Government's priorities in relation to climate change, environment and infrastructure, we noted that the letter did not specifically refer to the key role that the food and farming sector needs to play. Importantly, it's worth recognising that our food system is at risk from a changing climate. It also directly contributes towards climate change, with agriculture contributing around 16% of Wales' total greenhouse gas

emissions. Based on UK data, food manufacture, transport and retail emissions account for another 5.5%. Furthermore, unsustainable land use is one of the key drivers of biodiversity loss, with more than 80% of Wales' land utilised for agriculture. Crucially, our land is our biggest natural defence against climate change and it could be our biggest ally in restoring nature. We therefore believe that this committee has to consider within its priorities the crucial role of food and farming (from farm to fork – production to consumption), and land use.

The Legislative Programme confirmed that the Government plans to bring the Agriculture Bill to the Senedd in this Senedd year. This critical piece of legislation will shape our landscapes, ecosystems and rural communities for many years to come. Ecological resilience, food production and the long-term viability of farming in Wales as interdependent; a healthy environment underpins food production itself. The Agriculture Bill must respond to the triple challenge of delivering high quality sustainable food whilst restoring nature and getting to carbon net zero. The recent IPCC report adds significant context to this ambition and the Government will have to consider the new data and advice contained in the report closely alongside its work on the Bill. With this in mind, joint scrutiny of the Agriculture Bill and proposed Sustainable Farming Scheme by the Climate Change, Environment and Infrastructure Committee with the Economy, Trade and Rural Affairs Committee would be appropriate.

Net zero - Low carbon delivery plan and 2nd carbon budget

We agree with the Minister on the need for the 2020s to be 'the decade of action' if we are to meet net zero by 2050. We also agree of the importance of the second Low Carbon Delivery Plan and carbon budget in working towards this 2050 objective. Given the new commitment to a 2050 net zero target, we want to see a tightening of targets and transparent, timebound pathways towards identifying them, particularly clear detailed pathways for agriculture and land use. We also want to see scope 3 emissions accounted for in carbon budgets. We appreciate that it is a challenging aspect to measure but feel that it is vital for countries to ensure that this element is included if we are to have a realistic chance of meeting targets set in the Paris Agreements. By including scope three in Welsh Government targets, we would also be setting the challenge for other UK and global governments to fully consider all aspects of CO₂e emissions. We are unclear as to whether Welsh Government will set sectoral emission targets in the second low carbon plan, and if they did, what the level of ambition would be and how they would get there. We believe there could have

been more stakeholder engagement and co design of the second Low Carbon Delivery Plan which we believe is due to be launched in COP 26. We would therefore welcome immediate committee scrutiny on the second Low Carbon Delivery Plan and carbon budget.

Many large businesses have already signed up to the UN Race to Zero campaign which includes scope three impacts in measurement so it would be fantastic to see Government also take this approach and lead by example for some of the Welsh businesses who have yet to sign up.

National Parks/ Protected Landscapes

It's notable that there is no mention of National Parks in the Minister's letter to the committee. This is disappointing given that the WG has previously emphasised the role of NPs in mitigating and adapting to climate change in its priorities for designated landscapes (see, for example the [Valued and Resilient policy statement](#)).

In the letter which accompanied the most recent funding settlement for NPAs WG highlights the importance of the next few years as a time to take action on the climate and acknowledges that a lack of capacity is holding back NPAs' ability to undertake various work including biodiversity and climate change mitigation projects. It would be really timely for the Committee to be looking at whether NPAs have the right tools and resources and what needs to change to enable them to do more in this area.

Plastics and The Circular Economy

We welcome the inclusion of plastics and the circular economy in the Deputy Ministers priorities and although we understand the challenges currently faced with the potential implication of the UKIMA, the commitment to ban plastics and introduce a DRS for drinks containers has been long discussed and many consultations have been published, all of which showing broad levels of public support. The lack of action on these basic principles as a first step in the journey to reducing our plastic waste which is having considerable negative impacts on our terrestrial, marine and freshwater environments is frustrating.

With the passage of the Environment Bill UK (as currently proposed), the Welsh Government will receive new powers to tackle certain issues of waste. We fully expect the Welsh Government to make use of these powers and to take action on some of our most persistent issues in this area, by, for example, introducing a levy on single use cups, supporting reduction initiatives for the littering of single use sanitary items and the promotion of reusable alternatives across sectors.

The issue of extending the carrier bag charge to ‘bags for life’ (and consideration of a ban on single use carrier bags) is also overdue a decision by Welsh Ministers.

The marine environment and spatial planning

Since the Welsh National Marine Plan (WNMP) was developed, ambitions for development (particularly renewables) in Welsh seas have grown significantly. Potential impacts to marine ecosystems from marine developments include wildlife collision, disturbance, man-made noise, habitat loss, and loss of access to preferred foraging areas (displacement).

The marine environment is not currently resilient and a [recent evaluation](#) shows that the status of some species, such as seabirds, is worsening. Marine planning must therefore ensure that marine development ambitions are delivered in a way which does not further hinder the achievement of [Good Environmental Status](#).

The WNMP does not have a spatial component. As Welsh seas become more crowded, we believe the marine planning system must operate at a strategic and spatial level to:

- guide the siting of developments away from the most ecologically sensitive areas;
- assess and minimise the cumulative impacts on habitats and species; and
- provide greater certainty to developers and other sectors.

Sectoral Locational guidance as currently proposed by the Welsh Government is not enough. A statutory spatial plan must look cross-sector, at either a regional or national level, to address cumulative impacts on our marine ecosystems from all marine users is required. A marine

development plan, such as those that are commonplace on land, would be one way to achieve this. Embedding a spatial approach into marine planning could be usefully considered by the committee.

Tackling Climate Change in harmony with nature: Blue Carbon

It is encouraging that the Minister recognises the importance of our blue carbon habitats in sequestering carbon. In order to meet the ambitious target to becoming carbon net-zero by 2050, it is critical we look towards the ocean and its immense carbon storing capabilities. An NRW-commissioned report in 2020 revealed that blue carbon habitat in the Welsh National Marine Plan area presently stores at least 10 years' worth of Wales' carbon emissions. Not only do these habitats act as effective carbon stores, but equally are efficient at absorbing storm energy; thus, acting as a natural flooding solution.

We recommend the Committee explore the development, implementation and funding of a National Blue Carbon Recovery Plan designed to maintain and enhance our invaluable marine blue carbon habitats.

Restoration and protection of Welsh seas

We welcome the Minister's continued commitment to seas that are "*clean, healthy, safe, productive and biologically diverse*" (a commitment made by all four UK nations within the UK Marine Policy Statement, 2011). Given that the Minister does not elaborate on priorities here, we thought it would be useful to set out our priorities for the Committee:

We recommend that the Committee scrutinises the identification, designation and management of the Marine Conservation Zones process in Wales over the next 12 months. The process of identifying sites is already severely delayed in Wales. In addition, this committee should work with the Rural Affairs Committee to consider scrutinising the UK Joint Fisheries Statement and the Fisheries Management Plans once these are made available.

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales. WEL is a respected intermediary body connecting the government and the environmental NGO sector. Our vision is a thriving Welsh environment for future generations.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.



Swyddfa Caerdydd

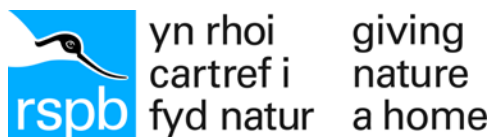
Tramshed Tech
Uned D, Stryd Pendyris Caerdydd CF11 6BH
F: 07498 228066 | E: enquiry@waleslink.org
Trydar: @WalesLink

Cardiff Office

Tramshed Tech
Unit D, Pendyris Street, Cardiff CF11 6BH
T: 07498 228066 | E: enquiry@waleslink.org
Twitter: @WalesLink

www.waleslink.org

Pack Page 66



RSPB Cymru submission on Priorities for the Climate Change, Environment and Infrastructure Committee

10 September 2021

RSPB Cymru is grateful for the opportunity to provide input to the Committee's planning for the next 12-18 months. As the Chair and members of the Committee are well aware, we are at a critical moment for Wales, and the world, to respond to the climate and nature emergency. The decisions made by the Welsh Government and the Senedd in the coming months and years will determine whether Wales succeeds or fails in turning around biodiversity decline and delivering our net zero target.

[The global agenda: COP15 and COP26](#)

The two forthcoming global summits – COP15 of the UN Convention on Biological Diversity (CBD) and COP26 of the UN Framework Convention on Climate Change - provide a strong frame for the Committee's agenda, and no doubt the Committee will wish to give attention to these key moments – and the resulting new global agreements – and the Welsh Government's input and response.

The world's leading biodiversity and climate experts articulated a key challenge earlier this year. The [joint report published by IPBES & IPCC](#) states that biodiversity loss and climate change are both driven by human economic activities and mutually reinforce each other. Neither will be successfully resolved unless both are tackled together. There are many potential win-wins in tackling climate and nature together, but narrowly-focused actions to combat climate change can directly and indirectly harm nature, and vice-versa.

[Welsh Government Well-being Objective to embed response to climate and nature emergency](#)

The Welsh Government has [committed](#) to "embed our response to the climate and nature emergency in everything we do". This objective clearly applies across all government departments, and we would encourage the Committee to consider how it might support and scrutinise Welsh Government in its delivery of this objective, and/or support other Committees in doing so. Delivering on this objective must not be limited to considering how to *avoid or mitigate harm* to biodiversity in departmental priorities, but also how to *contribute to (and invest in) nature's restoration and recovery*. We believe this is less well-developed across Welsh Government than is the practice of considering decarbonisation targets, (we consider the development of legally binding nature recovery targets will support this integration in the longer term).

Consideration of this objective could usefully help to frame the Committee's consideration of the Welsh Government budget, deep dives undertaken by Ministers, and initiatives developed as part of a green recovery.

Legislation on environmental governance, principles and nature recovery targets

We were delighted by the support shown for the recent [Senedd motion](#) declaring a nature emergency, which also called for parity between Welsh Government actions to tackle climate change and biodiversity loss. Many Senedd members spoke during the debate with passion and conviction about the need to do more for nature. We were also pleased that the CCERA Committee [Fifth Senedd Legacy Report](#) contained a clear recommendation underlining the importance of nature recovery targets.

The Minister has indicated her intention to bring forward an environmental governance bill which would also provide a potential vehicle to set the framework for legally binding nature recovery targets; a prospect we warmly welcome and support.

We are, however, concerned that this Bill did not feature in the legislative programme for Year 1 of the Senedd term, and that the Minister has offered no guarantee that time will be found in Year 2. Wales has fallen well behind the rest of the UK on environmental governance, resulting in a *de facto* weakening of environmental protection post EU exit. It is vital that the legislation to close this gap is prioritised by Welsh Government and allocated the resources necessary to bring it forward early in the second year of the Senedd. We would urge the Committee to seek regular updates from Government on this matter.

We also see no reason to delay legislation (via the same Bill) that would set a framework for nature recovery targets. The Minister has indicated she is keen to first see the post-2020 global biodiversity framework. While we agree that Wales' targets must take account of this, it is both possible and important to progress work on the Welsh primary legislation before the conclusion of negotiations. As one of the [world's most nature-depleted countries](#), it is clear that Wales must be prepared to lead by setting strong domestic ambition. (While the Ministers' submission refers to the Nature Recovery Action Plan it is important to note that this plan does not include any SMART targets or compel specific actions, nor do we consider it has a reach beyond the nature/land use focused government departments).

As set out in the RSPB Cymru / WWF Cymru report '[Putting Wales on Path to Nature Recovery](#)', Wales should move ahead immediately with setting a high level framework for targets in primary legislation, with a detailed suite of SMART long term and interim targets to follow in secondary legislation. We believe the primary legislation should include an overarching new duty on the Welsh Government to halt and begin to reverse the loss of biodiversity by 2030 (aligning Wales with the [G7 2030 Nature Compact](#)) and achieve substantive recovery by 2050.

Additionally, we note that commitments to protect 30% of land and sea for nature by 2030 (the 30x30 target) have been made by UK, Scottish and Northern Irish Governments, but we have not yet seen a formal commitment from the Minister to achieving this in Wales.

Green recovery

The [Dasgupta Review](#) into "The Economics of Biodiversity" describes nature as our most precious asset, and calls for [transformative change in how we recognise and value nature](#). A recent RSPB Report shows the **significant return that can be gained from investing in our natural assets: [for every £1 invested in peatland, salt marsh and woodland respectively can secure £4.62, £1.31 and](#)**

[£2.79 in return](#). Moreover, RSPB Cymru has estimated that an investment in nature restoration could support almost [7,000 direct FTE jobs in Wales](#).

Tackling the nature and climate emergency will require coordinated attention across committees, and we would encourage the CCEI Committee to revisit [recommendations made by the previous Economy, Infrastructure and Skills committee](#) in November 2020 (ideally in tandem with the current ETRA Committee), including the recommendations to “**invest in a transformation green recovery**” through:

- **Investment in and acceleration of ‘shovel-ready’ green infrastructure.** This refers to **nature-based solutions** such as peatland, salt marsh or woodland outlined above. Large scale habitat restoration is necessary to support adaptation to climate change as well as contributing to mitigation, and to reversing biodiversity loss. Peatland restoration is particularly important due to potential emissions from degraded peat (whereas peat habitats in good condition help to sequester carbon, as well as providing other ecosystem services).
- Skills funding to support green jobs and “take robust action to analyse and address the disparities between current and future needs and existing skills provision”. This could, in part, be fulfilled by an **investment in a National Nature Service** as proposed to Welsh Government by the NRW Green Recovery Delivery Group.

When coupled with investment in nature’s restoration, a National Nature Service will further assist a just transition into green jobs for the future, while ensuring that nature remains at the heart of a green and just recovery.

[The importance of robust planning for decarbonisation in harmony with nature](#)

In tandem with demand reduction and nature-based solutions, the need to rapidly decarbonise the energy system is well understood. Robust and accountable land- and sea- use planning are essential to enable this transition to take place in a way that does not exacerbate the crisis of biodiversity loss. Potential impacts to ecosystems from development include wildlife collision, disturbance, habitat loss, and loss of access to preferred foraging areas (displacement). The Minister has spoken of some of the difficult choices that lie ahead (for example in her July statement on the [Gwent Levels](#)), but it is imperative that robust, forward looking development plans are utilised to their full potential to enable decision makers to make the best, strategic choices with the best possible understanding of opportunities and impacts.

Strategic spatial planning is essential to:

- establish the capacity for development within an area;
- guide the siting of developments away from the most ecologically sensitive areas;
- assess and minimise the cumulative impacts on habitats and species;
- identify and secure opportunities for net biodiversity benefit;
- in doing the above, provide greater certainty (in terms of deliverability of renewable energy projects) to developers and other sectors.

We would welcome consideration of marine planning by the Committee, an area which has relevance across the breadth of the Committee’s remit. During the consultation on the draft Welsh National Marine Plan (WNMP), the former Climate Change, Environment and Rural Affairs Committee held a **one-day workshop** on this. Since the WNMP was developed, ambitions for development (particularly renewables) in Welsh seas have grown significantly. While it is encouraging to see the Ministers’ comment (in their letter to the Chair of 30 July) that effective

marine planning and regulation is crucial for sustainable marine sector growth, particularly marine renewable energy, it must be urgently noted that the WNMP is not currently fit for this purpose. The WNMP does not have a spatial component or development control policies, and therefore does not embed strategic forward planning or seek to proactively address conflict.

We therefore believe a follow-up session on marine planning is timely and urgent (a similar format to the previous workshop would work well). The marine environment is not currently resilient and a [recent evaluation](#) shows that the status of some species, such as seabirds, is worsening. As Welsh seas become more crowded, we believe the marine planning system must operate at a strategic and spatial level to ensure that marine development ambitions are delivered in a way which does not further hinder the achievement of [Good Environmental Status](#).

While the terrestrial planning system is a world away from the WNMP, and much more focused on spatial allocation from national through to local level, it is still the case that developments of national significance come forward outside of this context so that overall capacity and cumulative cross sector impacts are not assessed at a strategic level. As in the marine environment this leads to a higher likelihood of dispute over developments in ecologically sensitive areas (including designated sites); concerns over cumulative impacts; and higher uncertainty for all parties.

The development of a robust, regulated approach to securing **net biodiversity benefit from development** would present an opportunity to secure funding for nature's recovery, and would merit the Committee's attention.

[Investment in nature delivery](#)

In recent years we have seen a welcome uplift in the budget allocation for designated sites, and the Welsh Government's new Nature Networks programme is continuing to move this agenda in a welcome direction by considering multi-year funding for much needed action to improve the condition of our designated sites and the wider ecological networks they are a part of. This notwithstanding, it is clear that the anticipated funding is much lower than what is needed – for example, in 2015, an [EU LIFE funded report published by NRW](#) estimated that the actions needed to attain favourable conservation status of Wales' Natura 2000 sites would cost £144 million to 2020 (noting that this figure does not include staff time or ongoing, currently funded (at the time) management work).

A critical part of putting nature conservation funding on a more sustainable footing will be clarifying the connections with other Welsh Government policies – for example, the new Sustainable Farming Scheme and the National Forest.

However, there is no escaping the fact that Natural Resources Wales has received a budget cut in real terms of 35% between 2013 and 2020¹. It is deeply concerning that around 50% of terrestrial protected site features are in unknown condition as cuts have left NRW unable to monitor these most important places for nature². Fewer than 6% of SSSIs have a management agreement in place involving NRW. NRW resourcing must be scaled up urgently in recognition of the scale of the challenge that we must meet to halt and reverse biodiversity loss.

¹ According to Emma Rose (Unchecked UK) 2021 report [Safeguarding Standards – Why Wales should lead the way](#)

² <https://naturalresources.wales/evidence-and-data/research-and-reports/protected-sites-baseline-assessment-2020/?lang=en>

We note that Natural England is now receiving a 47% increase in Government funding after the Chair of Natural England [stated](#) to the Environmental Audit Committee that budget cuts had left the agency's funding "below the level required to deliver all of our statutory duties to a good standard". While the increase to Natural England's budget still leaves it with less funding than it received in 2008/09, it is at least some recognition that years of underinvestment must be reversed for agencies to be able to deliver their statutory duties.

There is no doubt that financing nature's recovery will need to involve innovative approaches enabling private sector investment; but Welsh Government must also face the need to increase public investment in the resources (including human resources) needed to deliver this successfully. We would urge the CCEI Committee to bring these considerations into its work around the Welsh Government budget.

[Work with other Committees](#)

While we appreciate the CCEI Committee's remit is very broad, there are key policies linked with addressing climate change and nature loss that sit outside of it. For example, development of a National Nature Service (as referenced above) would entail commitment from the Economy Department with scrutiny by the Economy, Trade and Rural Affairs (ETRA) Committee, but would benefit from the CCEI Committee's expertise in nature and climate action.

Fisheries and farming are two further priority areas which are critical to nature's recovery and where joint working between the CCEI Committee and the ETRA Committee may be advantageous, in particular on:

- **The Joint Fisheries Statement (JFS) and Fisheries Management Plans (FMPs)** under the 2020 UK Fisheries Act **which will set out post Brexit fisheries management in Wales. There is a requirement, within the Act to lay a consultation draft of the JFS before the appropriate legislature. This is expected in early 2022.** Given the significance of the JFS for determining long-term fisheries management policies, Committee scrutiny will be of the utmost importance.
- **The Agriculture (Wales) Bill and Sustainable Farming Scheme.** The introduction of a new Agriculture Act for Wales provides a unique opportunity to transition to and reward sustainable farming and land management that restores nature, tackles climate change and provides society with a wide range of essential public goods. This piece of legislation will play a critical role in determining the state of Welsh ecosystems on which we and future generations depend.

For further information, please contact Annie Smith – annie.smith@rspb.org.uk

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith /
Climate Change, Environment and Infrastructure Committee
Blaenoriaethau ar gyfer y Chweched Senedd / Priorities for the Sixth Senedd
PR81

Ymateb gan Y Gymdeithas Cadwraeth Forol / Evidence from Marine Conservation
Society



Overross House,
Ross Park, Ross-on-Wye,
Herefordshire, HR9 7US

mcsuk.org
01989 566 017
info@mcsuk.org

[f mcsuk](#)
[mcsuk](#)
[mcs_uk](#)

The Marine Conservation Society (MCS) welcomes the opportunity to feedback to the Climate Change, Environment and Infrastructure Committee (hereafter “the Committee”) on priorities for the Sixth Senedd term (2021-2026).

MCS is the UK’s leading marine conservation charity. We work to ensure our seas are healthy, pollution-free and protected. Our vision is for seas full of life where nature flourishes and people thrive. We have actively been working in Wales to improve the health of Welsh seas for the past 30 years.

Summary of recommendations for the next 12-18 months

Marine Energy:

- Investigate how marine development can occur without causing irreversible environmental damage

Net Zero:

- Explore the design, implementation and funding of a National Blue Carbon Recovery Plan

Nature and Biodiversity:

- Scrutinise the designation and management of Wales’ Marine Conservation Zone process
- Co-inspect the UK Joint Fisheries Statement and Fisheries Management Plans alongside the Rural Affairs Committee once available

Circular Economy:

- Hold Welsh Government to account on timelines and implementation of an all-inclusive Deposit Return Scheme and Single-Use Plastic bans
- Ensure full alignment with EU REACH regulations, including restrictions on intentionally added microplastics, PFAS in non-essential uses and other harmful contaminants

Tackling Climate Change in harmony with nature: Marine Spatial Planning

“Effective marine planning for, and regulation of, new development is crucial to enabling sustainable marine sector growth, particularly for the development of marine energy projects to contribute to net zero.” - Minister for Climate Change on the Welsh Government priorities, July 2021

We welcome the Welsh Government’s ambition to deliver renewable energy to the equivalent of 70% of Welsh homes by 2030. We note the ambition for the growth of marine renewable energy to meet these commitments. Whilst it is true that marine renewable energy will have a key role to play

in the move away from Wales's dependency on fossil fuels, development of this type of energy is not without its challenges - particularly, avoiding destruction and disturbance to marine life and the habitats on which they depend. We cannot allow the need for marine renewable energy to exacerbate the nature emergency we are experiencing in Wales.

We recommend that the Committee considers investigating how the ambition for marine renewable energy in Wales can be realised without causing irreversible damage to Marine Protected Areas.

Tackling Climate Change in harmony with nature: Blue Carbon

"... we also need to understand what the seas already deliver for us in terms of carbon sequestration and to enhance that where we can, and to stop degrading it in ways which are utterly unnecessary." - Minister for Climate Change, MCS Sensational Seas Event, June 2021

It is encouraging that the Minister recognises the importance of our blue carbon habitats in sequestering carbon. In order to meet the ambitious target to becoming carbon net-zero by 2050, it is critical we look towards the ocean and its immense carbon storing capabilities. An NRW-commissioned report in 2020 revealed that blue carbon habitat in the Welsh National Marine Plan area presently stores at least 10 years' worth of Wales' carbon emissions. Not only do these habitats act as effective carbon stores, but equally are efficient at absorbing storm energy; thus, acting as a natural flooding solution.

We recommend the Committee explore the development, implementation and funding of a National Blue Carbon Recovery Plan designed to maintain and enhance our invaluable marine blue carbon habitats.

Restoration and protection of one of Wales's most important natural assets – the marine environment

"Our vision for our seas is that they are clean, healthy, safe, productive, and biologically diverse. Wales has important marine habitats, such as seagrass forests and saltmarshes. Our approach is structured around assessment, protection and management, and restoration." - Minister for Climate Change on the Welsh Government priorities, July 2021

We welcome the Minister's continued commitment to seas that are "*clean, healthy, safe, productive and biologically diverse*" (a commitment made by all four UK nations within the UK Marine Policy Statement, 2011). Given that the Minister does not elaborate on priorities here, we thought it would be useful to set out our priorities for the Committee:

We recommend that the Committee scrutinises the identification, designation and management of the Marine Conservation Zones process in Wales over the next 12 months. The process of identifying sites is already severely delayed in Wales.

The Committee should work with the Rural Affairs Committee to consider scrutinising the UK Joint Fisheries Statement and the Fisheries Management Plans once these are made available.

Moving towards a Circular Economy – introducing waste reduction legislation

“The government has committed to bringing forward legislation to ban more single use plastics however the implications the Internal Market Act 2020 might have on these proposals is not yet clear.” - Minister for Climate Change on the Welsh Government priorities, July 2021

The introduction of key legislation such as an all-inclusive Deposit Return System (DRS) and bans on single use plastic items has been significantly delayed for a number of years. While we appreciate the complications that might be posed by the Internal Markets Act, Wales cannot afford to delay further in the face of a Climate and Nature Emergency.

“Maintaining and enhancing our dynamic water ecosystem is central to tackling the wider strategic challenges we face. We need to ensure our drainage and sewerage systems are sustainable, managed effectively and that they are fit for purpose in terms of meeting changing demands.” - Minister for Climate Change on the Welsh Government priorities, July 2021

We welcome the Minister’s recognition that effective management of drainage and sewage systems is fundamental in protecting our water ecosystems – both freshwater and marine. To ensure that drainage and sewage systems are “sustainable”, contaminants must be prevented from entering wastewater systems at source. For additional information, please see our recently published [sewage sludge paper](#).

Additionally, a clean and safe circular economy must be free from harmful chemicals such as PFAS. As [summarised by the UK Government](#); “PFAS are a group of over 9,000 different chemicals, some of which are already banned or highly restricted. In industry, these substances are used as stain repellents, coatings and fire-fighting foams. The chemicals in PFAS are extremely persistent in the environment; the substances can accumulate in animals and can also be toxic this means PFAS are of growing concern for both human health and environmental reasons.” A truly circular economy cannot be achieved while chemicals such as PFAS continue to accumulate in our environment.

We recommend that the Committee holds Welsh Government to account on timescales for the introduction of much-delayed and much-needed legislation on an all-inclusive Deposit Return System and bans on single use plastic.

The Committee should work with Welsh Government to keep fully aligned with EU REACH regulations, including restrictions on both intentionally added microplastics and PFAS in non-essential uses amongst other harmful contaminants.

Thank you again for the opportunity to provide the above comments. If you have any further questions with regards to our feedback above, please do not hesitate to contact me.

Yours sincerely,

C. Trotman

Clare Trotman Policy and Advocacy Manager (Wales)

Marine Conservation Society

Agenda Item 5

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith /

Climate Change, Environment and Infrastructure Committee

Blaenoriaethau ar gyfer y Chwchedd Senedd / Priorities for the Sixth Senedd

PR24

Ymateb gan Coed Cadw / Evidence from Woodland Trust



Our suggested priorities for the Committee for the next 12-18 months in response to the Minister and Deputy Minister's letter:

1. **Auditing decarbonisation.** Relevant to Ministerial priorities including climate change, energy, marine energy, net zero, tree planting, transport, housing and town centre regeneration. We have also suggested this as a priority for the Economy, Trade and Rural Affairs Committee.
- 1.1. Why is this important? The Senedd has declared a climate emergency. Achieving decarbonisation is challenging and dependent on the effectiveness of measures to achieve genuine emissions reductions from all sectors. Decarbonisation pathways are complex. The public is sceptical about greenwashing and Government needs to provide clarity about which measures will be most effective at reducing emissions.
 - 1.1.1. What are the monitoring and reporting requirements that will ensure effort is best directed at emissions reduction and avoid greenwashing and perverse outcomes?
- 1.2. This general issue is well illustrated by the specifics of forestry, where there is a need to ensure that tree planting, forestry and timber production support rather than undermine decarbonisation and nature recovery goals. Previous approaches to afforestation have had damaging social and environmental consequences.
- 1.3. Increasing tree cover will make a valuable contribution, but only if it is done appropriately. The misapplication of tree planting to offset continued fossil fuel use and the over-use of biomass for energy generation risk undermining the climate mitigation potential of forestry. The credibility of forestry as decarbonisation tool is at risk unless emissions from forestry are understood and controlled.
- 1.4. Forests cannot be taken for granted as a long-term carbon sinks. Carbon emissions from overseas deforestation are growing as are emissions from clear felling for biofuel. Increasing pest outbreaks and fire and storm damage, threaten the integrity of Welsh forests. <https://blog.efi.int/from-climate-change-to-climate-crisis-a-new-normal-for-natural-disturbances>. Major existing carbon stores in soils and ancient and old growth woodland are being diminished, contributing to net carbon emissions. Very little of the timber produced in Wales is used in construction.

- 1.4.1. How are Ministers demonstrating effective carbon auditing on the Welsh Government's own forest estate, and using the dominant position of that forest estate to lead strategic change in timber production and use and increase long term carbon stores?
2. **Woodland creation – recommendations of the Ministerial Task Force.** Relevant Ministerial priorities include net zero, tree planting, and nature and biodiversity.
 - 2.1. Review the recommendations of Ministerial Tree Task Force. A wide range of actions have been initiated by the Deputy Minister, and a new action plan promised for later this year.
 - 2.2. Why is this important? Achieving decarbonisation goals requires that these recommendations are successfully implemented and not undermined by poorly directed effort and greenwash.
 - 2.2.1. What will be the contribution to the delivery of the Welsh Government's Decarbonisation Plan?
 - 2.2.2. What financial contribution is expected of the new proposed Farm Support Scheme?
 - 2.2.3. What are the implications of substantial land use change from this proposed rapid scaling up of tree cover?
 - 2.2.4. How is tree cover best extended and managed in ways that contribute to nature- based solutions and natural flood management?
 - 2.2.5. How will the Wales National Forest foster the development of a foundational woodland economy and balance commercial forestry and climate and biodiversity objectives?
3. **Natural Resource Recovery and a Green Recovery.** Ministerial priorities include climate change, nature and biodiversity, tree planting and environment. We have also suggested this as a priority for the Economy, Trade and Rural Affairs Committee.
 - 3.1. Our climate and nature crisis is reflected in a natural resource crisis in Wales, as summarised in NRW's 2020 State of Natural Resources Report (SoNaRR): "Today Wales faces the seemingly unbridgeable obstacle of how to deliver the transformative change needed to meet the challenge of the nature and climate emergencies." ([NRW 2020 SoNaRR Executive Summary, page 16](#)) .
 - 3.2. Why is this important? There is a decline in the capacity and resilience of Welsh landscapes to maintain soil fertility, store carbon, hold back flooding, provide clean water and support nature. Risks of drought, fire, flood and pest attack and species decline are all increasing.
 - 3.2.1. What investment is needed to introduce more sustainable, climate resilient and nature positive farming, forestry and nature conservation practices across

Wales? Examples include practices such as agroforestry, improved slurry treatment, continuous cover forestry, and restoration of native peatlands and native woodlands.

3.2.2. What is the green jobs potential of this investment?

3.2.3. Will the proposed new Sustainable Farming Scheme deliver this and what are the implications of substantial change to land use and landscape? How can landowners, especially family farms, be supported to make the necessary adjustments?

3.2.4. What program do Ministers have to act at scale across Wales and with urgency, to reverse the current downward trends in biodiversity and environmental condition?

3.2.5. How will communities engage with landscape wide change?

3.2.6. Does NRW have the resources, powers, capacity and skills to support such a program?

4. **Liveable cities in the face of climate change.** Ministerial priorities include climate change, nature and biodiversity, tree planting, environment, transport, housing and town centre regeneration. We have also suggested this as a priority for the Local Government and Housing Committee.

4.1. Cities face increasingly serious heat waves, extreme weather events and flooding. Future Wales – the National Plan 2040 recognises that green space and tree cover are of paramount importance for managing impacts, supporting health and wellbeing and community regeneration. [Blog on urban trees as Infrastructure.](#)

4.2. The importance of green space has been further highlighted during the pandemic. This has raised the question of how benefits can be secured for the future and has exposed issues of inequality of access and the challenges of maintenance.

4.3. Why is this important? The Senedd and many local authorities have declared climate emergencies. Government and local authorities have a responsibility to protect communities from the dangerous impacts of climate change. Greenspace and tree cover makes cities more liveable and there is now a need and opportunity to reverse years of disinvestment and inequality. The most important component, mature tree cover, is in decline. Withholding investment will increase risks and costs, and fail to protect community wellbeing.

4.3.1. What progress are Ministers and local authorities making to protect and develop green infrastructure as a core tool for the delivery of their wellbeing and decarbonisation plans?

4.3.2. How are Government and local government working with communities to address green space inequality and make best use of green space to mitigate the effects of severe heat waves and storms?

4.3.3. What policies, targets and resources will Government introduce to achieve these objectives?

4.3.4. What are the implications that arise for the siting and design of housing and transport developments?

Other subjects that we suggest the Committee might like to prioritise over the next 12-18 months.

5. Future Generations Legacy: We have also suggested this as a priority for the Economy, Trade and Rural Affairs Committee and the Local Government and Housing Committee.

- 5.1. The Senedd's Sustainable Development duty and the Well-being of Future Generations Act provide Wales with a UK and world leading framework.
- 5.2. What choices and decisions will those being born this year face in 2050, and what will be their view of the decisions made by 6th Senedd and its Ministers?
 - 5.2.1. How are Ministers using opportunities to engage young people in climate and environmental issues, raise eco-literacy and address climate change anxiety? (as highlighted by Delyth Jewell MS: BBC coverage – [Climate change anxiety – young people feel hopeless](#)).
 - 5.2.2. What opportunities are offered by Welsh Government initiatives including Plant! and the Wales National Forest and by activities such as outdoor classrooms, community tree nurseries and tree planting?

6. Coed Cadw – the Woodland Trust: Our expertise and interest.

- 6.1. Coed Cadw - the Woodland Trust is the UK's largest woodland conservation charity, working for a UK rich in native woods and trees, for people and wildlife. In Wales we have 26,000 supporters, employ 24 staff and work with some 155 volunteers.
- 6.2. In Wales we own and manage 3,000 hectares in 121 woods including ancient woodlands, woodlands under restoration and recently planted woodlands. In managing this estate we purchase each year services to the value of more than £1 million from contractors and suppliers.
- 6.3. Our wider work includes engaging with the public through site-based, media and campaign activity, supporting other organisations and landowners to carry out woodland creation and restoration work, and participating in partnerships such as the Celtic Oakwoods Project.
- 6.4. Our suggestions on policy responses and opportunities are summarised in our [2021 Manifesto for the Welsh Parliament Elections](#).

Document is Restricted



Eich cyf/Your ref
Ein cyf/Our ref MA/LW/2768/21

Llyr Gruffydd MS
Chair
Climate Change, Environment, and Infrastructure Committee

SeneddClimate@senedd.wales

21 September 2021

Dear Llyr

I am pleased to let you know that my preferred appointee for the Chair of the National Infrastructure Commission (NICW) for Wales is Dr David Clubb. Assuming a satisfactory scrutiny report by the Climate Change, Environment and Infrastructure Committee, I intend to appoint Dr Clubb for three years.

The NICW has functioned in a reduced capacity since March 2020, although commendably producing both an Annual Report and Report on Digital Communication in autumn 2020. Since becoming responsible for the NICW earlier this summer I have met commissioners and discussed how to re-energise and focus the role of the NICW. My main priority is the commitment to deliver across the decarbonisation agenda and therefore I am asking the NICW to focus here, in particular on the potential of renewable technologies. I am conscious the NICW had lost some momentum over the last year and a length recruitment campaign for a new chair could potentially exacerbate uncertainty over the purpose of the NICW.

With a refocused remit and purpose, an emphasis on the decarbonisation agenda and taking into account the outcomes of previous recruitment campaigns I decided to directly appoint Dr David Clubb as chair. Dr Clubb brings a wealth of expertise from the renewables sector along with a drive to deliver on assessing Wales' future infrastructure needs.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Lee.Waters@llyw.cymru
Correspondence.Lee.Waters@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am interested in the committee's views on Dr Clubb's suitability for the role and his ambitions for the Commission.

I look forward to receiving the report of your pre-appointment hearing.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Lee', is centered within a light gray rectangular box.

Lee Waters AS/MS

Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change

**Pwyllgor Newid Hinsawdd,
yr Amgylchedd a Seilwaith**

**Climate Change, Environment,
and Infrastructure Committee**

Julie James MS,
Minister for Climate Change

21 September 2021

Dear Julie,

Report on the Legislative Consent Memorandum for the Environment Bill

Please find attached a copy of the Committee's report on the Legislative Consent Memorandum which has been laid today.

As set out in our report, we expect you to provide a detailed response to recommendations 1, 2, 12, 17, 18 and 19 in advance of the debate on legislative consent. In your response to recommendation 1, we would like you to outline the steps you have taken to engage with the UK Government and the other devolved administrations with the aim of securing amendments to the Bill.

Given that the legislative consent debate has been scheduled for 28 September, we expect your response to the above recommendations no later than **close of business on 27 September**. We would like your response to all remaining recommendations no later than 6 weeks after publication, or within the timeline stipulated by the Committee in its report.

You will be aware that the Supplementary Legislative Consent Memorandum for the Environment Bill ('the Supplementary LCM') was referred to this Committee for consideration. Regrettably, the curtailed timetable for scrutiny, combined with the Committee's fortnightly meeting cycle, meant we were not in a position to consider and report on the Supplementary LCM.

Yours sincerely,



Llyr Gruffydd MS
Chair, Climate Change, Environment, and Infrastructure Committee

Agenda Item 7.2

**Pwyllgor Newid Hinsawdd,
yr Amgylchedd a Seilwaith**

**Climate Change, Environment,
and Infrastructure Committee**

Elin Jones MS,
Llywydd

21 September 2021

Dear Llywydd,

Senedd scrutiny of Legislative Consent Memorandums

The Climate Change, Environment and Infrastructure Committee('the Committee') has today published its report on the Legislative Consent Memorandum ('LCM') for the Environment Bill.

I would like to draw your attention to the Committee's overall conclusions at the start of its report, which highlight what we consider to be some of the key challenges for Senedd scrutiny of LCMs. These are: time available for committee scrutiny, in particular for Bills which include substantive Welsh provisions, and the information provided by the Welsh Government to support the scrutiny process.

We believe the start of the Sixth Senedd provides an ideal opportunity to review the LCM scrutiny process to ensure it is fit for purpose. Given that the Business Committee is responsible for Senedd procedures, we ask that it considers undertaking such a review at the earliest available opportunity.

Regards,



Llyr Gruffydd MS
Chair, Climate Change, Environment, and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.



**Senedd Cymru
Welsh Parliament**

Pack Page 90

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddHinsawdd@senedd.cymru
senedd.cymru/SeneddHinsawdd
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddClimate@senedd.wales
senedd.wales/SeneddClimate
0300 200 6565

**Y Pwyllgor Deddfwriaeth,
Cyfiawnder a'r Cyfansoddiad**

**—
Legislation, Justice and
Constitution Committee**

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1S
SeneddDCC@senedd.cymru
senedd.cymru/SeneddDCC
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddLJC@senedd.wales
senedd.wales/SeneddLJC
0300 200 6565

Llyr Gruffydd MS
Chair, Climate Change, Environment, and Infrastructure
Committee

Dear Llyr

21 September 2021

UK/Japan: Protocol Amending the Agreement for Co-operation in the Peaceful Uses of Nuclear Energy

You will be aware that the Legislation, Justice and Constitution Committee is responsible for monitoring the implementation of non-trade international agreements in the Sixth Senedd.

At our meeting on 13 September 2021 we considered the UK/Japan: Protocol Amending the Agreement for Co-operation in the Peaceful Uses of Nuclear Energy.

The agreement amends how the 1998 UK-Japan Nuclear Cooperation Agreement (NCA) will operate now that the UK is outside of the EU's Euratom regime and to ensure the continued peaceful uses of nuclear materials and technology.

During our consideration we agreed to draw the agreement to the attention of the Climate Change, Environment and Infrastructure Committee, particularly as regards the agreement's implications, if any, for nuclear energy in Wales.

Yours sincerely,



Huw Irranca-Davies
Chair

Agenda Item 7.4



UNIVERSITY OF
BIRMINGHAM

21 September 2021

Minister for Climate Change
Welsh Government
5th Floor
Tŷ Hywel
Cardiff Bay
CF99 1NA

Dear Minister


Members of the Stakeholder Task Group were gratified to receive your predecessor's positive response to our report on Environmental Governance in Wales post exit from the European Union. We understand that you remain committed to our recommendations and we welcome your recent statements in the Senedd in which you have reiterated your commitment to bringing forward legislation as soon as possible.

We were disappointed that this legislation was not included in the Welsh Government's legislative programme for the first year of this Senedd. While we welcome the appointment of the Interim Environmental Protection Assessor, we would stress that this appointment does not bridge the governance gap which arose on the UK's departure from the EU at the start of this year. It does not diminish therefore the urgency of legislating for the robust long-term arrangements now needed, as has been done or is near completion in all of the other UK countries.

We therefore ask that this work be prioritised, and allocated sufficient government resource now, to ensure that a bill can be laid early in the second year of the Senedd.

Members of the Task Group have asked me to stress their continuing support for the next, urgent phase of development of policy and legislation to establish an independent environmental governance oversight body; enshrine a high level objective and core environmental principles to fill gaps left by EU withdrawal; and create a framework for statutory nature recovery targets.

Yours sincerely

DocuSigned by:

98FE1ACE16864A1...

Professor Robert Lee LLB LLD FAcSS FRSM

Former Chair, Environmental Governance Task Group

Agenda Item 7.5

**Y Pwyllgor Deddfwriaeth,
Cyfiawnder a'r Cyfansoddiad**

**Legislation, Justice and
Constitution Committee**

Senedd Cymru
Bae Caerdydd, Caerdydd, CF99 1SN
SeneddDCC@senedd.cymru
senedd.cymru/SeneddDCC
0300 200 6565

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN
SeneddLJC@senedd.wales
senedd.wales/SeneddLJC
0300 200 6565

Chair, Climate Change, Environment and Infrastructure Committee

Chair, Economy, Trade and Rural Affairs Committee

Chair, Health and Social Care Committee

23 September 2021

Dear all

Scrutiny by Senedd Committees of Common Frameworks

As you will be aware, the UK and devolved governments have been negotiating common frameworks for managing divergence outside of the European Union since 2017. Common framework agreements typically set processes for the governments to make decisions on when to follow the same rules and when to diverge. In this sense, they have implications for the exercise of devolved competence.

The Senedd and other parliaments in the UK have previously committed to scrutinising common frameworks before they are finalised and, in a recent letter to the Legislation, Justice and Constitution Committee, the new Welsh Government reiterated its view that the importance of frameworks scrutiny cannot be overstated. This letter from the Counsel General provides an update on individual common frameworks and is enclosed for your information. The Counsel General also provided evidence to our Committee this week, during which the common frameworks programme was discussed.

You may be aware that the UK and devolved governments have plans for 26 common frameworks for Wales. In February of this year, the then Counsel General confirmed that most frameworks had been provisionally confirmed and were now in operation. Seven of these have so far been published. We are expecting some frameworks to be brought forward as early as October, although we understand that this timetable is subject to progress in intergovernmental negotiations.

In addition to any work and/or investigations you may initiate on the common frameworks within your remit and given the LJC Committee's role in overseeing the framework programme, we will continue to press for updates from the Welsh Government and will share with you any information received.

I will also be writing to the Business Committee to draw specific attention to this area of work and the impact it may have on committee business.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies
Chair

Annex to the letter from the Chair, Legislation, Justice and Constitution Committee
regarding scrutiny by Senedd Committees of common frameworks

Mick Antoniw AS/MS
Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution

Huw Irranca-Davies MS
The Chair
Legislation, Justice and Constitution Committee
Senedd,
Cardiff Bay,
Cardiff
CF99 1SN



Llywodraeth Cymru
Welsh Government

07 September 2021

Dear Huw

Thank you for your letter of 16 July. This is a period of considerable activity in the Common Frameworks area and I welcome the opportunity to update you on developments in the programme.

On 31 August, the first fully complete and scrutinised framework, on Hazardous Substances (Planning), was published. This is clearly a landmark in the frameworks programme and illustrates that, though four-Government working is not necessarily a quick and easy process, it is possible to reach agreement on complex issues on an equitable basis across all the nations of the United Kingdom.

The Common Frameworks have been operating as provisional agreements between officials since the end of last year. Over this period many framework policy areas have seen a more open and collaborative approach between the Devolved Governments and the UK Government. For example, in the framework area where I am also the Portfolio Minister, Procurement, officials are finding that they are now working much more as partners. In this way the Common Frameworks programme has been a considerable success. Although some framework areas are more advanced in this regard than others, I consider what we have seen so far to be hugely encouraging and a powerful affirmation of the Common Frameworks programme.

There are, however, several issues which need to be resolved before the Common Frameworks programme can be finalised, most significantly the issues relating to the UK Internal Market Act (the UKIM Act). During the passage of the UK Internal Market Bill through Parliament, the Welsh Government was clear that this legislation was unnecessary and heavy handed.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Mick.Antoniw@llyw.cymru
Correspondence.Mick.Antoniw@gov.Wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The uncertainty caused by the UKIM Act in terms of the Senedd's ability to legislate in certain areas, prompted my predecessor to commence legal proceedings challenging the UKIM Act by way of judicial review.

However, I recognise the need to progress work on the processes underpinning the Common Frameworks. I have therefore instructed Welsh Government officials to engage in further discussions about the interaction between the UKIM Act and the Common Frameworks on the strict understanding that our engagement is without prejudice to the position taken on the litigation. We remain committed to work with the UK Government, the Scottish Government and the Northern Ireland Executive in good faith, and without prejudice to the legal action, to move this programme forward.

In addition to the interaction between the UKIM Act and the Common Frameworks, officials continue to make progress on significant work to address the difficulties posed by other cross-cutting issues, namely the effect of the Northern Ireland Protocol, references to International Relations and the outcome of the Intergovernmental Relations Review. Progress is being made in all of these areas. The Devolved Governments have shown considerable flexibility and good faith in developing the Common Frameworks programme, most recently demonstrated in changes to the clearance process for provisional frameworks.

The importance of effective scrutiny of these frameworks cannot be overstated. It is essential that the relevant committees of all legislatures are given the opportunity to perform their role in this area. This is a complex and innovative programme of work. It covers a number of subjects, departments, Ministers and, of course, four different Governments. The quality of the final product is important. Deadlines can provide an impetus, but we should not seek to meet deadlines to the detriment of quality. Scrutiny by legislatures, in particular, takes time. Failure to make sufficient progress on all cross-cutting issues would prevent the scrutiny and finalisation of the frameworks. I am meeting with Ministers from the other three Governments on 8 September to discuss, in part, how best to meet the challenges of the programme in a timely fashion.

Policy leads in the framework areas in the four Governments have reached out to their stakeholders in the development of the frameworks. I understand that, as the frameworks move to completion, additional consultation will take place as appropriate. The frameworks programme represents a significant change in the workings of government and stakeholders should be given input into its development.

I look forward to speaking to the committee on 20 September about Common Frameworks and other issues.

I attach, as an appendix to this letter, updates on individual Common Frameworks.

Yours sincerely



Mick Antoniw AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution

Appendix

Updates on Individual Common Frameworks

(by UK Government departmental areas)

MHCLG Framework

Hazardous Substances (Planning)

This framework was finalised and published on 31 August 2021.

DHSC Frameworks

Organs Tissues and Cells

The version agreed earlier this year remains the most up to date. Officials are expecting updated versions soon for review.

Blood Safety and Quality

The version agreed earlier this year remains the most up to date. Officials are expecting updated versions soon for review.

Nutrition, Health Claims, Composition and Labelling

The current version of the Nutrition and Health Claims Framework which was reviewed by the Senedd remains the same. Officials have been working with the UK Government to agree wording on International Relations, and the Policy Team are now working to build standard text on the TCA into the Framework and Concordat. Cabinet Office have also shared a timeline for publishing the Framework and are meeting with officials in early September to finalise the framework and concordat.

Public Health Protection and Health Security

The framework was provisionally signed off in December 2020. This version of the framework did not recognise the arrangements agreed between the UK and the EU under the Trade and Co-operation Agreement. The framework has now been updated to reflect the TCA and also the Health Security (EU Exit) Regulations 2021.

The updated framework is in the process of being readied for publication and will be shared in due course.

BEIS Frameworks

Late Payments

The version agreed earlier this year is the most up to date. All the Devolved Governments are content. No further changes are currently expected.

Recognition of Professional Qualifications

BEIS recommenced work on the Common Framework, now titled Recognition of Professional Qualifications (RPQ), on June 14 2021, and has presented options for developing the scope of a framework. Welsh Government officials have indicated a preference for arrangements which facilitate the recognition of professional qualifications in line with the scope of returning EU powers, but that all developments must be considered alongside the Recognition of Professional Qualifications Bill's progression through parliament. BEIS has been made aware that UKIM Act implementation should not be a part of the Common Framework.

The Welsh Government expects to see a first draft of a framework by early September.

The Welsh Government has indicated concerns with the timetable outlined for the framework to be completed by 31 December 2021, as this leaves very little time for stakeholder engagement and scrutiny.

Provision of Services

Work on the Provision of Services Framework was postponed at the end of 2020 by consensus agreement of all four Governments of the UK, because of the lack of time to undertake the process with sufficient time to develop a framework before 31 December 2020.

On 20 November 2020 the then Counsel General wrote to BEIS to reiterate the Welsh Government's support for the Common Frameworks programme and to indicate that the Welsh Government would like to see this framework picked up as a matter of priority in 2021. A response was received from Lord Grimstone dated 6 January 2021 outlining that BEIS officials would be in touch to progress the work on both the Services and RPQ Frameworks.

On 17 August BEIS officials contacted Welsh Government officials to review the 2020 work on the Provision of Services Framework and to consider options and next steps.

Should the Minister decide to proceed with the development of the Provision of Services Framework, it is anticipated that work would commence at pace in September 2021.

Public Procurement

Although there have also been some drafting amendments, these have not altered the essence of what was presented to the Senedd previously.

The Outline Framework Agreement and the Concordat are currently separate documents but they are very similar. To avoid duplication, consideration is being given to keeping just one of the two documents, though this work is yet to be started. Text on International Relations needs to be added once it is agreed. The same is true for the text on dispute resolution.

Food Standards Agency Frameworks

Food and Feed Hygiene and Safety

The version agreed earlier this year is the most up to date. The Food Standards Agency is working with Food Standards Scotland to update the current version of the Food and Feed Hygiene and Safety Framework (which was scrutinised by the EAAL Committee on 1 February 2021) to account for committee recommendations and cross-cutting issues once these have been agreed centrally. Subject to agreement on the approach to cross-cutting issues, it is the intention to finalise the Food and Feed Safety and Hygiene Framework.

Food Compositional Standards and Labelling

The version agreed earlier this year is the most up to date. All Devolved Governments are content with content. The current version of the Food Compositional Standards and Labelling Framework which was reviewed by the Senedd remains the same. Subject to agreement on the approach to cross-cutting issues, it is the intention to finalise the Food Compositional Standards and Labelling Framework.

Defra Frameworks

Implementation of EU Emissions Trading System

The summary of the framework is still relevant in that it explains the legislative underpinning and non-legislative arrangements the four Governments have adopted and still have in place. Since the framework was created a range of legislation has been implemented to enable the UK ETS to operate. Stakeholders have also been engaged (including a Call for Evidence and a current Consultation) on developments to the UK ETS. Whilst this will have the effect of making changes to the UK ETS the governance and therefore the intent expressed in the framework remain unchanged.

Radioactive Substances

The framework summary still represents the overall position. The four Governments have progressed work on developing the framework.

Organics

A summary of the Organics Framework is due to be completed in the near future and will be shared with the Senedd. The four Governments continue to work on the further development of the provisional framework, including finalising a draft concordat and operationalising some of the governance arrangements.

Plant Varieties and Seeds

The framework summary still represents the overall position. However, some minor amendments will be made ahead of further stakeholder engagement by the four Governments planned for the early autumn. Work continues between the four Governments to develop the framework further, including finalising a draft concordat.

The following Defra Frameworks are in a similar position:

- **Fertilisers**
- **Agricultural Support**
- **Air Quality**
- **Plant Health**
- **Best Available Techniques**
- **F-Gas & ODS**
- **Zootechnics**

Where summaries exist for these frameworks, they still represent the overall position. For provisional frameworks, work continues between the four Governments to develop each framework further, including updating Framework Outline Agreements and drafting/finalising Concordats as appropriate, and refining/operationalising governance arrangements. Work is also ongoing to consider further stakeholder engagement and the impact of cross-cutting issues.

Agenda Item 7.6



Linea
Fortran Road
St Mellons
Cardiff
CF3 0LT
02920 740450

Linea
Heol Fortran
Llaneirwg
Caerdydd
CF3 0LT

Climate Change, Environment, and Infrastructure Committee
Senedd
Cardiff Bay
CF99 1NA

23 September 2021

Dear Chair,

Thank you again for the opportunity to share our thoughts with Members on the future priorities of the Senedd's Climate Change, Environment and Infrastructure Committee during this sixth session of the Senedd.

As noted, Dŵr Cymru Welsh Water is the only not for profit water and sewerage company in England and Wales and because we have no shareholders, any financial surpluses are used for the benefit of Welsh Water's customers. Our assets and capital investment are financed by bonds and retained financial surpluses, and this operating model has allowed us to invest more than £400 million over the past 20 years in accelerating investment, keeping bills affordable and supporting more customers to pay their bills than any other water company.

Committee Members will have noted that we operate a highly capital-intensive business with an asset base worth £30 billion which enables us to provide essential public services to over 3 million people. In terms of water services, we operate 62 water treatment works and treat on average around 830 million litres of water every day, which are distributed through a 27,400-kilometre network of water mains. For our wastewater services, our largely rural area means that we have a disproportionate number of small treatment works, many of which are remote. We operate more than 830 wastewater treatment works and manage over 36,000 kilometres of sewers

Such an extensive asset base means that we currently invest around £1 million a day in our network and we currently plan to invest £1.8 billion over the 5 years to 2025. This investment is influenced by the particular characteristics of our operating area, which differentiate us from other water and sewerage companies and this should also be borne in mind when considering how we maintain our asset base. These factors include:

- our operating area is characterised by a relatively-long coastline, which has implications for our wastewater treatment costs;
- wastewater treatment for the half of our customers who live along the coastline was built post-privatisation and so was financed through customer bills (this is not the case for predominantly-inland companies);
- our area has a level of average rainfall that is among the highest in the UK;

- we operate across several distinct, rural, mountainous and sparsely-populated areas, which means more assets (e.g. treatment works and lengths of pipe) per customer;
- the standard of river quality in the region is very high, and there are a significant number of designated bathing beaches along the long Welsh coastline, which means strict permit levels for wastewater treatment;
- a comparatively-high proportion of our water supplies come from impounding reservoirs and rivers, with relatively small volumes supplied from low cost boreholes;
- most of our raw water is soft and has a high manganese content, which leads to intermittent problems of discolouration and other acceptability issues for customers;
- our customers have lower incomes on average than most other parts of the UK, and a relatively high proportion of our customers live in areas of economic and social deprivation, increasing bad debt and collection costs.

These characteristics taken together create a unique set of challenges in providing high quality, resilient and affordable water and wastewater services to our customers.

A key challenge for us – as with other water companies – is ensuring that we limit the impact of our work on the environment. We have an extensive environmental footprint and we take this responsibility seriously and plan to invest £765 million on improving our wastewater assets during our current investment plan (2020-25).

Over recent months, river water quality has been the subject of increasing stakeholder interest as a high quality water environment is essential to support a healthy ecosystem. Our role in this – and in particular, our Combined Sewer Overflows – has been the focus of attention and it is important that we explain the significance of these assets.

Our CSOs play an essential role in stopping sewage from backing up into customers' properties during periods of heavy rain. This is important to note given the extreme weather patterns we experienced over the past 12 months as a direct result of climate change. 2020 was the third wettest year recorded since 1910 (after 2000 and 2012) with 9 named storm events throughout the year. As our sewerage system was not designed to deal with such intense storm conditions, it is inevitable that this will have increased the frequency that some CSOs have operated. Investing to meet the challenges of climate change is a key business priority for us

Whilst CSOs are mainly operating as designed and permitted, we recognise that with environmental legislation tightening and customer expectations changing, more needs to be done. However, this requires significant additional funding and will take many years to deliver. To retrofit our network would be an enormous long-term undertaking and changing the way it operates to remove the need for CSOs completely, would take decades and cost around £9 - £14 billion.

Nonetheless, we are taking action and have invested £8.1 million in improving the monitoring of these CSOs since 2015, and added more than a thousand monitors since 2017. We now have spill monitors on over 90% of our CSOs – which is well above the industry average. This is a crucial first step so that we can identify and understand the scale of the issues we need to address. These monitors record the number and duration of spills and this data is published on our website allowing us to develop investment cases to make further improvements and also to provide real time spill information for key bathing waters to interested bodies, including Surfers Against Sewage. This work is being supported by the £80 million we are investing in CSOs in the five years

to 2025, with the Glas Cymru Board recently agreeing to invest a further £20 million in this financial year.

Nonetheless, it should be noted that these CSOs and sewage discharges only play a limited role in terms of impacting river quality. Research by the Welsh Government and Natural Resources Wales identifies other areas which should also be prioritised to help improve river water quality, namely: mine waters, livestock management, land management, industrial estates, small sewage discharges (private), drainage misconnections, surface water drainage from developed area and storage – slurry, fuel, oils, chemicals. This work will require a multi-agency and multi-stakeholder approach and we stand ready to build on the work we have already undertaken.

One of the Committee Members raised concerns about pollution incidents and we take such matters very seriously. As a company, we self-report over 70% of the pollution incidents we identify to the environmental regulators and we send pollution technicians to investigate any incidents within 4 hours of receiving any notification. While we recorded our lowest ever level of wastewater pollution incidents in 2020/21, I wish to reassure the Committee that this area remains a key focus for our teams.

Generally, we are pleased that our work to protect the environment to date ensured that we secured the top 4* rating in July 2021 after successfully meeting or exceeding targets set for its environmental performance. The assessment, known as the Environmental Performance Assessment (EPA), is conducted by Natural Resources Wales and Environment Agency.

We plan to progress this work and while it should be noted that 42% of Wales' water bodies and 46% of rivers were at "good status", we will continue to collaborate with other stakeholders so that we can do even more to protect the environment around us.

I hope that the evidence we shared at your evidence-gathering session and the information above will be helpful in terms of informing your thinking when setting the Committee's priorities for the sixth Senedd term.

As ever, I am more than happy to provide a further briefing should you wish and so please do not hesitate to contact us if you need further information.

Yours sincerely,



Ian Christie
Managing Director, Water, Asset Planning & Capital Delivery, Dŵr Cymru Welsh Water

Agenda Item 7.7



Llyr Gruffydd MS
Chair, Climate Change, Environment
and Infrastructure Committee
Senedd Cymru/Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

From: Stuart Hudson
Senior Director, Strategy
Communications and Advocacy

20 September 2021

Dear Mr Gruffydd,

Introduction to the Competition and Markets Authority

I am writing to congratulate you on your appointment as Chair of the Climate Change, Environment and Infrastructure Committee and to introduce the work of the Competition and Markets Authority (CMA), the UK's lead competition and consumer authority. We work to promote competition for the benefit of consumers. Our role is to make markets work well for consumers, businesses and the economy.

From this year, the CMA will be required to lay its annual plan and annual report in the Welsh Parliament. We are keen to engage with the Climate Change, Environment and Infrastructure Committee's workplan on areas of interest to our role, and that the Committee is aware of and can engage with CMA work where it falls within its remit.

The CMA has significant experience working in both energy and transport across several of our functions. We have worked with Welsh Government officials providing advice on issues such as bus franchising, partnerships and smart ticketing arrangements, and on aspects of taxi regulation.

Previously we worked on a range of matters in the energy sector, including the market investigation into both retail and wholesale energy markets, and our heat networks market study which helped to guarantee heat network customers are given a comparable level of protection to customers of gas and electricity in the regulated energy sector. We also have further experience of the energy sector through both our mergers work such as SSE Energy Services/OVO Energy as well as regulatory appeals on price controls and code modifications.

Our annual plan¹ set out our commitment to support the transition to a low carbon economy. Recent work on this includes our market study into Electric Vehicle charging², which was recently published. The final report included recommendations to the UK and Welsh Governments which will help to promote strong competition, encourage more investment, and build people's trust in the sector. We are also undertaking work to understand better how consumer protection legislation can be used to tackle false or misleading environmental claims³. We will continue to provide advice and support to all levels of government across the UK on the impact of climate change and sustainability policies on competition and consumers.

We appreciate that the Committee is continuing to develop its workplan. We would be keen to engage with or feed into any areas of the Committee's work that falls within our remit or in sectors where we have experience and expertise.

Please do not hesitate to contact us if you would like to discuss any aspect of our work or how we might contribute to yours, as your workplan develops.

Yours sincerely



Stuart Hudson
Senior Director Strategy, Communications and Advocacy
Stuart.Hudson@cma.gov.uk

Cc Simon Harris, CMA Wales Representative

¹ Competition and Markets Authority (2021) Annual Plan 2021-22 [CMA Annual Plan 2021 to 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

² Competition and Markets Authority (2021) Electric Vehicle Charging market study [Final report - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

³ Competition and Markets Authority (2021) [Misleading environmental claims - GOV.UK \(www.gov.uk\)](https://www.gov.uk)