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Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros  
Newid Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate  
Change & Rural Affairs



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: HIDCC/PO/0237/24

Llŷr Gruffydd MS  
Chair  
Climate Change, Environment and Infrastructure Committee  
Welsh Parliament

19 September 2024

Dear Chair,

I am writing in relation to the commitments made to provide further information during my appearance as Cabinet Secretary for Climate Change and Rural Affairs at Climate Change, Environment and Infrastructure Committee on 26 June.

### Woodland Creation

It was agreed to provide an update to the Committee on the lean review of the Woodland Creation Process. The following actions have been completed as part of the review:

#### Process changes

- Changed the Woodland Creation Grant (WCG) window, instead of several short windows, we now have one long window open for nine months per calendar year with monthly selections, reducing the time between a plan being verified and getting a contract to plant woodland.
- Requirement for Environment Impact Assessments (EIA) has been reduced following the review. NRW only send one in 20 plans for an EIA check, reducing time to verify all plans.
- Terms & conditions for registered woodland planners have been updated and disseminated. To improve quality and consistency in the process, a preferred supplier model was introduced, which ensures only woodland planners registered via RPW Online can submit plans under the scheme.
- Capital works claims guidance has been updated and a presentation given to woodland planners at their training in April 2024.

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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.

- Rural inspectorate Wales have provided a presentation to woodland planners to explain how the verification process works to reduce the level of scheme non-compliance.
- New literature has been produced to explain the benefits of Woodland Creation and which scheme is right for the customer, explaining the different approaches depending on where the customer would like to plant and available options and funding.

### **IT changes**

- An additional question has been added to the Expression of Interest online form, to confirm the Pre-Application detail and surveys to validate them prior to the plan being created.
- Woodland Plan Register implemented on the Rural Payments Wales online platform. This allows uploading of plan 'shapefiles' and the immediate validation of the plan, reducing the time for plans to be submitted and checked.
- Automated scoring process introduced to speed up selection for plans for approval.
- Changes to WCG windows with monthly automated selections.
- Implemented advance groundworks payment, up to 15% of the total Woodland Creation Grant Contract capital works value in advance of planting.

During the session a Committee Member asked whether Local Authorities still have to produce tree strategies. Local Authorities are not required to produce a separate tree strategy however they can be a useful means to fulfil broader obligations placed on Local authorities via Planning Policy Wales and the Environment (Wales) Act 2016 and to contribute to the Woodlands for Wales Strategy.

Planning Policy Wales (PPW), para 6.4.39 requires planning authorities to consider: *“the importance of trees and woodland, particularly native woodland and valued trees, and to have regard to local authority tree strategies or SPG and the Green Infrastructure Assessment.”* *“Planning authorities should adopt appropriate, locally relevant, time sensitive, minimum tree canopy cover targets for their authority area to guide the protection and where appropriate the expansion of canopy cover.”* The policy then refers to a number of tools they could use to help them establish a baseline and set appropriate and measurable canopy targets.

Local Authorities are required to undertake green infrastructure assessments as part of their development plans and respond accordingly, and so should be considering trees and woodlands as part of this. Planning officials input into the preparation of local development plans pointing, amongst other things, to the requirements in PPW outlined above.

Officials have recently met with the Welsh Local Government Association (WLGA) and presented to a network of Local Authority Environment Directors. Officials discussed the current approach to tree planting and whether they had a tree planting strategy / targets. My officials have heard back from 12 Local Authorities (over half so far) and all either have tree or woodland strategies, are renewing or developing, their strategy or it is part of their wider climate change or decarbonisation action plan. We are collating the information Local Authorities have given us and identifying how we can work together to maximise Local Authorities' contribution to tree planting and support effective of maintenance of the woodlands they already have.

### **Clean Air Act**

I agreed to provide the Committee with further information on the work Welsh Government is doing around engagement and communications for the Clean Air Act and how we are

drawing on the learning from our climate change communication and engagement work. This work includes our Climate Action Wales programme.

## **Climate Action Wales**

The approach to our Climate Action Wales programme was informed by extensive behavioural research and analysis. The progress made to date in shaping the methodology behind the programme and in delivering the commitments made in the [Public Engagement Strategy](#) was recognised by the Climate Change Committee (June 2023) report, which acknowledged that Wales is a step ahead of the UK in this area.

The programme focuses on encouraging everyone to play their part in tackling climate change by cutting carbon emissions through behaviour change linked to home energy, transport, food and consumption choices. However, where relevant, it also highlights the range of additional benefits these actions will bring, such as cleaner air through greener travel behaviours.

Communications delivered through Climate Action Wales also exemplify what the Welsh Government is doing to make climate action easier, more convenient and affordable. This work explains how inter-connected these policies are to in delivering benefits to public health and wellbeing, protecting the environment and nature, promoting social justice and tackling the cost of living crisis.

The programme's scope extends beyond communications and also encourages upstream public engagement. The [Public Engagement Strategy](#) explains how these two aspects are interlinked and the importance of delivering national opportunities for engagement e.g. through [Wales Climate Week](#) and outreach community engagement through the [Climate Conversations Fund](#). If people are more engaged in decision-making, they are more likely to engage in action. It can also help to shape understanding on why changes are happening and to build trust in Government.

The programme provides a national framework for the Welsh Government to work alongside other public sector bodies, regions and communities, influencers and trusted voices to ensure a joined-up approach to public communications and engagement on climate change. It also involves the gathering, analysis and sharing of behavioural and social research to ensure Government policies are evidence based, fair and deliver mutually beneficial outcomes for the climate, air quality, public health, and for communities and households across Wales.

We recognise the need for clear, positive engagement with the public if we are to meet the commitments to delivering air quality improvements set out in our National Air Quality Strategy for Wales (also known as the Clean Air Plan for Wales) and in the Environment (Air Quality and Soundscapes) (Wales) Act 2024. Raising public awareness about air quality is crucial and so the Act includes a new duty on Welsh Ministers to promote awareness of air pollution. We are currently developing a delivery plan setting out how we will promote awareness of the risks to human health and the natural environment associated with air pollution, alongside ways of reducing and limiting it. This is likely to include actions related to raising awareness of local air quality, as well as actions aimed at reducing pollution from vehicle idling and domestic burning. Enabling the public to make informed choices about the impacts of poor air quality and required mitigations is essential to informing and changing public attitudes and behaviours. These actions are important in delivering the ambitious changes needed to improve air quality and support wider government ambitions, such as for decarbonisation

As part of our action to promote awareness of air pollution, we have also continued to support Clean Air Day, which was held this year on 20 June. As the UK's biggest air pollution campaign, it is an important event to engage the public and raise awareness of actions they can take to improve air quality, for example using different modes of transport for everyday travel.

### **Natural Resources Wales**

I agreed to provide an update on work that's going on between NRW and other agencies, and the work that's being done on a multi-agency basis across the UK in terms of investigating and tackling criminality within the waste industry, please see Annex 1.

### **Biodiversity Deep Dive**

I published an update on the Biodiversity Deep Dive as a Written Statement on 25 July, which can be viewed here: [Written Statement: Biodiversity Deep Dive \(25 July 2024\) | GOV.WALES](#)

### **Review of Marine Planning Approaches in Wales**

I agreed to provide the Committee with an update on Independent Review of Marine Planning Approaches in Wales.

The review will consider how we can further develop our marine planning framework to provide greater spatial direction, balancing support for renewable energy and protecting and enhancing the marine environment. As part of this, the review will consider marine planning approaches elsewhere to inform our understanding of good practice and future opportunities for marine planning in Wales.

Specifically, the independent review will:

- Assess the merit of approaches taken by other planning regimes (including terrestrial and other marine planning regimes).
- Consider opportunities and tools for providing greater spatial clarity and direction through the marine planning framework in Wales.
- Consider options on how to reflect environmental considerations within the marine planning framework; including balancing development with protecting the marine environment, and planning approaches to help recognise, protect and enhance marine biodiversity.
- Consider the implications and opportunities of working with strategic UK-level spatial planning initiatives.
- Assess options for taking common approaches with neighbouring UK marine plan areas.
- Consider options for promoting stronger integration with terrestrial planning policy.
- Consider evidence and impact assessment requirements associated with providing greater spatial clarity.

Subject to procurement, we anticipate the review will commence in autumn 2024, with work to be completed in spring 2025.

## **Sustainable Farming Scheme Ministerial Roundtable**

The Committee asked to be provided with a list of organisations in the Sustainable Farming Scheme Ministerial roundtable and its subgroups. This is provided at Annex 2.

### **Institute of Biological, Environmental and Rural Sciences**

Finally, I agreed to provide an update on how Welsh Government is working with The Institute of Biological, Environmental and Rural Sciences (IBERS). Welsh Government officials maintain an awareness of the research conducted at IBERS and engage on specific issues as relevant. IBERS colleagues are also active in the Wales sub-group of the UKRI and Government funded Land Use for Net Zero People and Nature (LUNZ) Hub which has a remit to provide rapid access to findings from the best available, established and novel research from the consortium partners, synthesising and sharing knowledge across disciplines in easily accessible formats. More generally, we are working to improve our pro-active engagement with Wales' Higher Education Research Institutes, including IBERS.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Huw Irranca-Davies', with a large, sweeping flourish underneath.

**Huw Irranca-Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs

## Annex 1

# Natural Resources Wales multi-agency work to tackle waste crime

The briefing note has been produced in response to a request from Welsh Government.

Natural Resources Wales is responsible for providing a risk-based approach to regulation of the waste industry to ensure the sustainable management of our natural resources for human and environmental well-being. Our role in waste is vital in supporting WG to deliver their strategic aim of achieving a more circular economy in Wales whilst ensuring that waste is appropriately managed without having an impact on human health and the environment.

Our responsibilities are wide ranging and include the regulation of permitted sites and activities concerned with the movement, storage, treatment, and disposal of waste, as well as responding to incidents and taking enforcement action. We seek to achieve this directly through delivery of our regulatory duties, using powers and tools available as set out in legislation; and indirectly through wider interventions that support the delivery of relevant outcomes, such as raising awareness with waste producers to ensure they are taking steps to segregate, classify and manage their waste responsibly.

## How NRW works on a multi-agency basis to tackle serious and organised crime

The most common route for waste offences to be identified is through reports from the public, industry or other partner agencies. We also gather criminal intelligence and assess business intelligence, e.g., waste data from operator returns, that can help us to identify waste crime. Where we investigate and detect offences, we consider the most proportionate response to the offending in line with our [Enforcement and sanctions policy](#), which can range from advice and guidance to prosecution, particularly where the matter is serious.

In the course of investigating waste crime NRW collaborates with a range of partners including the Police, DVSA, Local Authorities and the Welsh Revenue Authority. NRW also has Police Officers seconded from 3 of the 4 Welsh Police Forces (Dyfed Powys, Gwent and North Wales) that play an important role in obtaining support for our action to tackle serious waste crime.

NRW is also engaged with multi-agency partnerships aimed at tackling serious and organised crime at Wales, UK and International levels:

- NRW actively participates in the Government Agency Intelligence Network (GAIN). The Government Agency Intelligence Network is a collaboration of law enforcement partners and government agencies and partners who work together to tackle serious and organised criminality. The network disrupts criminality by sharing intelligence, exchanging information and undertaking joint working. GAIN groups are organised by the 9 Police Regional Organised Crime Units (ROCU), and also have representatives in the Joint Unit for Waste Crime.

- NRW officers regularly attend police led multi-agency meetings with the specific remit of tackling serious organised criminality. It is apparent that there is crossover in areas of criminality and these meetings help target criminals of interest to a broad cross section of partners.
- NRW is an active partner in the Joint Unit for Waste Crime (JUWC) and there is a Wales based member of staff in the JUWC. The JUWC is a collaborative network of law enforcement agencies that works to target criminals that are engaged in serious and organised waste crime. The JUWC can help to co-ordinate a multi-agency response where this is likely to be the most effective way of addressing illegal activity.
- Serious and organised waste crime activity is financially motivated. The Economic Crime Unit is an England only initiative funded by the Environment Agency. In NRW we currently have an Accredited Financial Investigator (AFI) that carries out financial investigations related to serious waste, and other environmental offences. Our AFI can take action through the Courts to freeze bank accounts and recover the financial benefits of criminal conduct.

To further tackle the criminal financial benefit that is derived from illegal activity, NRW works in partnership with the Welsh Revenue Authority (WRA) who are responsible for the collection and management of Landfill Disposals Tax (LDT) within Wales.

As part of our close working relationship, the WRA has delegated certain functions to NRW in relation to the collection and management of LDT. NRW has a specific team operating on a national basis fully funded via the WRA, focussing solely upon LDT matters, working closely with the WRA.

NRW and the WRA have developed a 3-year Joint Strategy (2023-2026) which focusses our partnership on two key areas - tackling tax evasion (primarily the misdescription of waste) and unauthorised disposals of waste (disposals made at sites other than authorised landfill sites).

Together we are engaged in ongoing operational activity including:

- A joint misdescription project which has so far identified multiple points in the waste chain at which waste can be misdescribed. Moving forward, the project will focus on ways to mitigate opportunities for misdescription.
- Enquiries into multiple landfill site operators involving the misdescription of waste, where relevant NRW has been supporting this work with assistance from its LDT team and regulatory officers.
- Referrals to the WRA's Unauthorised Disposals Team of potentially unauthorised disposals.

In addition to the above, NRW and the WRA also collaborate with law enforcement agencies throughout the UK to tackle waste crime, including via the JUWC and GAIN, as mentioned above.

- NRW is not directly involved in the Environment Agency's (EA) Waste Shipment Intelligence Service. NRW's 'Waste Shipment Unit' works closely with EA colleagues as well as the Scottish Environmental Protection Agency (SEPA) and Northern Ireland Environment Agency (NIEA) to check and ensure compliance of waste exports arising from Wales. In addition, NRW separately reviews available

information (including waste site data returns, Waste Data Flow for Local Authority reporting, cargo bookings through Welsh ports) to identify higher risk exports and target our compliance checks / inspections accordingly.

When non-compliance / illegal waste shipments are identified, NRW takes necessary actions to investigate and takes an appropriate enforcement response in line with our policies. Illegal waste exports may also become subject to a 'repatriation' order at a cost to the responsible exporting parties and NRW will facilitate this.

NRW has been a part of the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), which is a collaborative network of European regulators since 2015. Our officers are part of IMPEL's Waste and Trans-frontier Shipment (TFS) of Wastes Expert group and use IMPEL resources to keep up to date with how other EU / UK countries regulate International Waste Shipments.

Our Waste Shipment officers have participated in officer exchanges as part of the Shipment of Waste Enforcement Actions Project (SWEAP). The project, which is co-ordinated by IMPEL, aims to disrupt the illegal waste trade, through increasing collaboration and skill sets amongst inspectors and law enforcement agencies.

- NRW also coordinates the Fly-tipping Action Wales (FtAW) Programme which is a partnership initiative sponsored by Welsh Government. A key role of FtAW is to support the enforcement work of the 22 Local Authorities in Wales through provision of training, support and sharing of best practice in relation to surveillance and enforcement activities.

The partnership's Enforcement Working Group meets bi-annually to share best practice and to discuss any emerging trends or issues in relation to fly-tipping, attendance is made up of Officers from Local Authorities, NRW and the Police as well as representatives from WG.

The FtAW team also attend the National Fly-tipping Prevention Group (NFTPG) meetings chaired by DEFRA. These meetings provide another opportunity to alert us to any emerging threats in relation to fly-tipping and make us aware of any links to more organised criminal gangs operating in this arena in England and Scotland.

FtAW also collect and validate the national fly-tipping statistics on behalf of Welsh Government which are published each year. This data is monitored to identify any emerging trends in terms of hazardous waste types that are being illegally fly-tipped.

FtAW also run a project called FlyMapper that enables the spatial recording of fly-tipping incidents and runs national public awareness campaigns that aim to educate householders in Wales about their Household Waste Duty of Care responsibilities, which helps prevent waste from ending up in the hands of fly-tippers.

- NRW's Tackling Waste Crime project is a Welsh Government funded initiative that works to develop and test innovative approaches that can help to prevent and disrupt waste crime. Active across all parts of Wales, we work operationally to deliver interventions on the ground, and more tactically to develop new approaches and improve NRW's capability to tackle waste crime. For example, we are:
  - Undertaking investigations into cross border waste crime.
  - Participating in investigations led by the Joint Unit for Waste Crime, and British Transport Police to tackle scrap metal related crime.

- Participating in the UK Waste Compliance Taskforce, led by Waste Industry representative bodies that are committed to reducing waste crime.
- Bringing forward approaches that can improve our ability to detect indicators of waste crime, particularly misdescription.

## Annex 2

### Membership of stakeholder groups

Partner	Ministerial Roundtable	Carbon Sequestration Evidence Review Panel	Officials Working Group
Afonydd Cymru			✓
Agriculture Horticulture Development Board	✓		✓
Animal Health and Welfare Framework Group	✓		✓
Central Association of Agricultural Valuers			✓
British Meat Processors Association	✓		
British Veterinary Association (Cymru)	✓		
Coed Cymru			✓
Country and Land Business Association	✓	✓	✓
Confor	✓	✓	✓
DPJ Foundation	✓		
Dŵr Cymru Welsh Water			✓
Farmers Union of Wales	✓	✓	✓
Farm Wildlife and Advisory Group Cymru			✓
Game & Wildlife Conservation Trust			✓
Hybu Cig Cymru	✓	✓	✓
Independent farmer representative	✓	✓	
Independent veterinary representative			✓
National Farmers Union Cymru	✓	✓	✓
National Sheep Association			✓
National Trust			✓
Natural Resources Wales	✓	✓	✓
Nature Friendly Farming Network	✓	✓	✓
Royal Society Protection of Birds			✓
Soil Association	✓*	✓*	✓
Sustainable Food Trust			✓
Tirweddau Cymru			✓
Tenant Farmer Association	✓		✓
Wales Environment Link			✓

Welsh Lamb and Beef Promotion	✓		✓
Welsh Language Commissioner			✓
Welsh Local Government Association			✓
Wildlife Trusts Wales	✓*		✓
Woodland Trust	✓*		✓
World Wild Fund for Nature			✓
Wales Federation of Young Farmers Clubs	✓		✓
Wales Horticulture Alliance Group			✓

\*Also representing Wales Environment Link (WEL).