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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 and Rural Affairs



Llywodraeth Cymru
Welsh Government

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Llyr Gruffyd MS
Climate Change, Environment and
Infrastructure Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

14 November 2025

Dear Llyr,

Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

Thank you for the Climate Change, Environment and Infrastructure Committee's Report, published on 24 October, regarding the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill as part of Stage 1 scrutiny.

I am grateful to the Committee for its considered Stage 1 scrutiny. I have carefully considered the committee's recommendations and considerations of the Bill.

I hope this will provide useful assistance for the Stage 1 General Principles Debate on 11 November 2025, please find enclosed at Annex 1 and 2 my response to the set of recommendations within the report.

Yours sincerely,

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
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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.

Annex 1: Response to CCEI Committee’s report on the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill – October 2025

Recommendation 1. The Senedd should support the general principles of the Bill.

Accept

I am pleased the Committee supports the general principles of the Bill and I look forward to working with Committee and Members as we proceed through the Senedd scrutiny process.

Recommendation 2. The Welsh Government should bring forward an amendment(s) at Stage 2 to extend the scope of the duty on the Welsh Ministers in section 3 so that it applies to all policy making (rather than only policy that has, or could have, any effect on the environment).

Accept in Principle

I previously explained to the Committee the duty imposed on the Welsh Ministers requires the Welsh Ministers to have “special regard” to the principles and to integrate environmental protection when making policy in relation to Wales that has, or could have, any effect on the environment. This is a strong requirement that requires the Welsh Ministers to give ‘considerable importance and weight’ to the principles when making policy and to integrate environmental protection. The duty as drafted applies broadly across the full range of Welsh Government policy making, not just environmental policy.

The “special regard” duty ensures that the environmental principles feature prominently in decision-making, whilst also enabling the Welsh Ministers to balance the environmental principles with other relevant considerations, depending on the context.

This duty has been designed in this way to impose a strong obligation on the Welsh Ministers and to recognise that the greatest threat of environmental damage arises outside the realm of environmental policy. I am pleased to note that the strength of the duty is welcomed by the Committee.

Given the strong effect of this duty, it is important that its scope is clear. The current drafting of the Bill achieves this by clarifying that the duty applies whenever a policy has, or could have, any effect on the environment, as it would not make sense to apply the duty when making policy if there is no effect on the environment. Considerable importance and weight to the environmental principles could not be given when there is no environmental impact and it would be impossible to integrate environmental protection if there is no environmental impact.

However, in reflection of the concerns expressed by some stakeholders and the Committee, I am minded to bring further clarity to the Bill through several planned Government amendments.

Firstly, we will amend the duty in section 3(1) to remove the provision that the duty applies only to policy that has, or could have, any effect on the environment, along the lines of the recommendation.

To ensure the duty is effective, we will then add a new subsection to clarify that the duty does not require the Welsh Ministers to act in instances where there is no effect on the environment, or an effect that is so negligible as to be insignificant. This is deliberately a very low threshold, and policy makers will have to carefully assess the effect of their policy to determine whether their policy meets this criteria. Without this, policy makers would be required to try to apply the duty in cases where there it can have no meaningful effect. This is likely to undermine effective implementation and may reduce the duty to a “tick box” exercise. Instead, this approach empowers policy makers to engage properly and rigorously with the requirements to apply the principles and integrate environmental protection.

To further support this approach, we will add a new requirement on Welsh Ministers to explain in the environmental principles and integrating environmental protection policy statement how the Welsh Ministers will determine whether a policy has a negligible effect or no effect on the environment. This statement will be subject to consultation, and Senedd scrutiny (detailed further in our response to recommendation 9).

The combined effect of these amendments will:

- Remove the wording “that has, or could have, any effect on the environment” from the section 3(1) duty
- Provide important clarity that the duty applies to all policy making, unless there is no effect or a negligible effect on the environment
- Provide a stronger duty than other UK jurisdictions
- Safeguard against misinterpretation through additional requirements in the statement, as well as public consultation and Senedd scrutiny.
- Provide confidence the duty will be applied with rigour and engaged with fully by policy makers, which will better support the environmental objective.
- Be open to challenge for non-compliance, for example, through judicial review, or the oversight of the OEGW (pursuant to provision made in Part 2 of the Bill).

Recommendation 3. The Welsh Government should bring forward an amendment(s) at Stage 2 to clarify the meaning of “policy” in Part 1 of the Bill. This could be achieved by including an interpretation provision containing a non[1]exhaustive list of matters that would fall within the meaning of “policy”.

Accept in Principle

The Bill and supporting materials already clarify the meaning of “policy” and “making policy” in connection with the duties imposed on the Welsh Ministers and NRW, by reference to non-exhaustive definitions. The Bill provides that “policy”

includes proposals for legislation but does not include an administrative decision in relation to a particular person or case, and that “making policy” includes developing, adopting or revising policies.

This is not qualified any further to give these duties a broad scope. The breadth of public policy making is complex and encompasses a wide range of issues that are addressed through legislation, funding programmes, strategies, plans, guidance, and other mechanisms. Attempting to distil “policy” to a list, even a list that is intended to be non-exhaustive, could have unintended consequences by restricting the reach of the duties to a narrower set of matters.

Notably, the equivalent Scottish and UK Acts take a broadly similar approach and do not seek to further define or clarify the meaning of ‘policy’.

However, we recognise that stakeholders would welcome further clarity and reassurance around this intended scope. We will therefore consider whether there is scope to include further clarification by amending the definition in the Bill, alongside potential amendments to the explanatory materials to support its interpretation.

Recommendation 4. The Welsh Government should bring forward an amendment(s) at Stage 2 to ensure that public authorities have “special regard” to the environmental principles when carrying out functions specified in section 5(2)

Reject

A duty to have special regard means giving considerable importance and weight to the principles.

A duty to ‘have special regard’ significantly strengthens the role of environmental principles in policy making by the Welsh Ministers and NRW, reflecting the importance of the principles whilst also maintaining flexibility that will be necessary to take appropriate account of all relevant considerations across diverse policy areas. This is appropriate and desirable in respect of these policy making duties.

However, in respect of the duties on public authorities in relation to the functions specified in section 5(2), it is more appropriate to use a “have regard” duty to apply the environmental principles and integrate environmental protection. The SEA regime is a process which is already focussed on the environmental impacts of certain plans and programmes. In that context, the intent of this duty is to ensure the principles and integration of environmental protection are considered appropriately alongside other relevant factors, and in a way which complements the overarching policy making duties placed on Welsh Ministers and NRW.

I do not consider this duty weak, nor narrow. It is targeted appropriately towards contributing towards environmental outcomes consistent with the environmental objective, which is the focus of this legislation. Whilst environmental matters are considered as part of the SEA process, this legislation will mean there are explicit requirements to consider the environmental principles, and to integrate

environmental protection, and to do so in a strategic context framed by the environmental objective. This is a substantial change that will improve the way in which SEA is undertaken throughout Wales.

Recommendation 5. The Welsh Government should give consideration to bringing forward an amendment(s) at Stage 2 to impose a wider duty on public authorities more generally to have regard to the environmental principles and integrate environmental protection

Reject

We received feedback during the Bill's White Paper consultation that imposing duties directly on public bodies to apply the principles would be unnecessary and disproportionate.

Nevertheless, we have taken steps in this Bill to strengthen the environmental principles framework by ensuring that certain public authorities apply the principles and integrate environmental protection when carrying out SEA, alongside the policy-making duties imposed on the Welsh Ministers and NRW. In this way, the SEA duty enables a targeted and proportionate approach by focussing consideration of the principles and environmental protection on scenarios of potentially significant environmental impact. It also ensures the preparation and adoption of relevant plans and programmes through the SEA process contributes to the environmental objective set out in the Bill. This will lead to stronger plans and improved environmental protection in a way that complements the strategic policy making duties on Welsh Ministers and NRW.

We consider this approach will have a strong positive impact, and do not intend to extend the duty any further in this legislation. However, we will keep this under review during the implementation of the legislation to inform future assessment of the effectiveness of the principles framework and whether any refinements are needed.

In the case of NRW, it is appropriate to impose a wider duty to apply the principles and to integrate environmental protection when making policy, reflecting NRW's particular role and the environmental focus of its policy making responsibilities.

Recommendation 6. The Welsh Government should bring forward an amendment(s) at Stage 2 to require the Welsh Ministers to expressly set out in the section 6 statement how the environmental principles are to be interpreted.

Accept

Section 6 sets out a number of specific and detailed matters that the Welsh Ministers are required to explain in the statement. This includes explaining how they propose to comply with the duties to apply the principles and integrate environmental protection. This means that the Welsh Ministers will need to explain how the principles apply in particular circumstances, and what they mean for those circumstances.

We have also articulated in the Explanatory Memorandum that the statement will contain interpretation of the principles.

However, on balance we consider there may be benefits to making this clearer on the face of the Bill, and so will bring forward an amendment to make this a clearer requirement within the section 6 statement.

Recommendation 7. The Welsh Government should bring forward an amendment(s) at Stage 2:

- to place a requirement on the Welsh Ministers to review the section 6 statement once every Senedd term, and
- to enable the Welsh Ministers to review the statement at any other time

Accept

The Bill currently provides the Welsh Ministers may review the statement “from time to time”. We consider this is proportionate with the nature of the statement, which is intended to be enduring and strategic, covering a wide range of cases. Reviewing the statement will be a decision for the Welsh Ministers in the circumstances, taking account of relevant considerations including wider policy changes, and technological and scientific developments.

However, I am content to accept this recommendation for regular review in recognition of the significant impact the section 6 statement has on the implementation of Part 1 of the Bill and the need to keep pace with the latest evidence and other relevant developments. I will give further consideration to the most appropriate period for that regular review and Bill will be amended accordingly via a stage 2 government amendment.

Recommendation 8. The Welsh Government should bring forward an amendment(s) at Stage 2 to place an express requirement on the Welsh Ministers to undertake public consultation before publishing the section 6 statement or a revised statement

Reject

We agree that it is very important for the statement, or a revised statement, to be subject to consultation before it is finalised and published. Section 7(1) already requires the Welsh Ministers to consult Natural Resources Wales, the Future Generations Commissioner for Wales; the OEGW and such other persons as they consider appropriate.

That duty clearly includes scope to consult the public, with the necessary flexibility to do so appropriately in the circumstances. Such consultation must of course be carried out properly and fairly. Imposing an additional or alternative legislative requirement to consult “the public” would be unusual and uncertain in scope.

We therefore consider the principle of this recommendation to be captured within the Bill and to make alternative provision in this respect would be inappropriate.

Section 7(2) also requires the Welsh Ministers to lay the statement before the Senedd, including providing a document giving details of the consultation carried out, summarising the representations received and the Welsh Ministers' response to them.

I do not consider further amendment to the Bill is needed or appropriate. This consultation will also be supported by the further amendments detailed in Recommendation 9, which will provide a role for the Senedd in this process

Recommendation 9. The Welsh Government should bring forward an amendment(s) at Stage 2 to make provision in the Bill for Senedd scrutiny of the section 6 statement. The approaches taken in section 18 of both the Environment Act 2021 and the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, provide useful precedents.

Accept

The Bill currently provides for laying the section 6 statement before the Senedd, along with details of the consultation carried out, a summary of the consultation representations, and the Welsh Ministers' response. Whilst we consider that together with consultation requirements this provides a satisfactory level of transparency and accountability, we agree that this could be enhanced by further scrutiny by the Senedd.

We will therefore bring forward an amendment in the Bill to enable the Senedd to consider the post-consultation draft of the statement, with opportunity to submit recommendations to the Welsh Ministers before the statement can be finalised. We will place a corresponding requirement on the Welsh Ministers to consider and respond to any such recommendations before the statement can be finalised.

It should be noted, however, that this additional scrutiny will impact on the planned timescales to publish the statement and commence the provisions of Part 1. As we consider the publication of the statement to be essential to the effective operation of the provisions in Part 1, commencement of the duties imposed under Part 1 is to be coordinated with the publication of the statement. We will further consider the additional time needed before bringing forward an appropriate amendment.

Recommendation 10. The Welsh Government should bring forward an amendment(s) at Stage 2 to ensure that all provisions in Part 2 of the Bill will automatically come into force two years from the day on which the Act receives Royal Assent, to the extent they have not previously been commenced by Order.

Accept

I agree that it is very important the OEGW becomes established as quickly as possible.

I previously expressed to the Committee, we expect it will take around 2 years for the OEGW to become fully operational following Royal Assent. However, this is based on an optimistic assessment that nothing unforeseen will go wrong in the process.

Setting a requirement in legislation to automatically commence provisions 2 years after royal assent is a high-risk approach, but it also sets a clear ambition and reflects our intent. I am therefore minded towards accepting this recommendation and bringing forward an amendment accordingly.

Whilst it would be unwise to make us totally hostage to fortune, we are considering amendments to provide for an extension to this 2 year period, subject to the Senedd's approval, but with a final date set out on the face of the Bill by which the OEGW must be operational.

This will strike the balance of ensuring the OEGW is prioritised, that every effort is made to establish it quickly, but if this is not possible and can be justified, an appropriate extension can be granted, but only if the Senedd agrees.

Recommendation 11. The Welsh Government should bring forward an amendment(s) at Stage 2 to provide that the OEGW's general purpose is to ensure the effectiveness of environmental law, and contribute to the attainment of a high level of environmental protection and an improvement of the environment.

Reject

The focus of the environmental objective is already to contribute to the attainment of a high level of environmental protection and an improvement of the environment. The objective also recognises connected outcomes that can be achieved through a high level of environment protection and an improved environment and which are unique to the policy and legal framework in Wales, including the well-being goals.

Section 9 of the Bill sets out that the OEGW must "exercise its functions" for the general purpose of contributing to the environmental objective. This clearly links the general purpose to the "functions" of the OEGW as set out in the rest of the Bill. These functions are explicitly in relation to the monitoring and reporting of and the implementation, application and effectiveness of environmental law in the context of environmental protection in relation to Wales.

As I explained during my appearance before the Committee, this environmental objective complements and supports the work of the OEGW and, importantly, embeds it directly into the policy framework in Wales. This approach has been welcomed by stakeholders such as the FG Commissioner and NRW.

I cannot accept that this dilutes the focus of the OEGW - it is right that the OEGW operates in our uniquely Welsh framework and conducts itself in a way that is in accordance with this. I am, therefore, not able to accept this recommendation.

Recommendation 12. The Welsh Government should bring forward an amendment at Stage 2 to include in the Bill express provision setting out the OEGW's independence from the Welsh Government.

Accept

I agree that the independence of the OEGW is paramount to its effective operation. I have previously stated to the Committee that it is most important the Bill provides for the independence of the OEGW through its provisions, and we are content our Bill achieves this.

However, on reflection of the feedback from the committee and stakeholders, I have considered further the effect of a statement provision on the face of the bill that would further enhance the OEGW's independence, particularly as it is a core policy objective to protect the independence of the OEGW

I am, therefore, minded to bring forward a government amendment to place a duty on the Welsh Ministers to have regard to the need to protect the OEGW's independence when exercising their functions. It is my view this would have a stronger effect than a purely declaratory statement on the OEGW's independence by framing a clear requirement on Welsh Ministers and is similar to paragraph 17 of Schedule 1 to the Environment Act 2021 in respect of the Secretary of State and the OEP.

Recommendation 13. The Welsh Government should bring forward an amendment(s) at Stage 2 to provide that appointments (or reappointments) of non-executive members of the OEGW are subject to approval by the Senedd

Reject

I am open to a greater degree of Senedd involvement in the process to appoint members to the OEGW. However, a requirement to obtain Senedd approval for 5-7 members of the OEGW could substantially impact the process of recruitment, including the time to complete those appointments, without generating additional benefits in respect of independence with accountability.

We, therefore, do not consider it appropriate to provide Senedd members with the authority to approve appointments to the OEGW, but recognise the independence of appointments to the OEGW could be strengthened by a more proportionate level of Senedd involvement (see recommendation 14)

Recommendation 14. If the Welsh Government is not minded to accept Recommendation 13, it should bring forward an amendment(s) at Stage 2 to provide a more substantive role for the relevant Senedd Committee in the appointment (or reappointment) process for the OEGW's non-executive members.

The model used for the Welsh Language Commissioner's appointment provides a useful precedent.

Accept

The appointment process has been designed to give a greater weight to independent members of the panel, as opposed to Welsh Government representations. Panel recommendations will be made to the relevant Welsh Ministers with responsibility for the environment, who will confirm the appointments based upon these recommendations.

The Chair and Deputy Chair appointments would also be subject to a pre-appointment hearing by the relevant Senedd Committee, providing further opportunity to scrutinise the appointment and ensure the relevant members

We think this achieves a good balance between accountability, transparency and independence. However, I appreciate the views provided by the committee on how this can be further strengthened, and the relevant comparison between the Welsh Language Commissioner appointment process.

I will, therefore, bring forward an amendment that will enable a member of the Senedd nominated by the relevant Committee to be part of the appointment panel. This will be in addition to the two independent members already required.

Recommendation 15. The Welsh Government should bring forward an amendment(s) at Stage 2 to include in the Bill express provision aimed at ensuring sufficiency of funding for the OEGW. The approaches taken in the Environment Act 2021 and the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 provide useful precedents.

Accept

During my appearance before the Committee I articulated what I consider to be the risks associated with including a statement on the bill concerning 'sufficiency of funding'. It remains my view that this is an ambiguous term with scope for broad interpretation and potential misunderstanding around what is considered sufficient. There could easily be different interpretations adopted by the Ministers giving the funding, the OEGW using it, the committee scrutinising it, and / or the opinions of any other persons with an interest.

The OEP and ESS made a strong case during their committee session as to the benefit of such provision. Based on this, and feedback from other stakeholders and the Committee, as to the benefits of such a provision, I am willing to bring forward an amendment which would require Welsh Ministers to provide such sums to the OEGW as they consider to be sufficient to enable it to carry out its functions.

Recommendation 16. The Welsh Government should bring forward an amendment at Stage 2 to include the UK CCC in the list of oversight bodies to which the OEGW should seek to avoid overlapping functions under paragraph 1(1)(e) of Schedule 2. If consent is required for this provision, the Welsh

Government should engage in early discussions with the UK Government, with a view to obtaining consent before the Bill reaches its final stage in the Senedd.

Accept in Principle

As I stated during my appearance before the Committee, we are unable to make such provision without consent from the UK Government, and there would be limited benefit to seeking such consent given the distinct role and functions of the OEGW. The remit of the OEGW is clear and, in my view, does not conflict with the UK CCC to the extent that it is necessary to legislate as to how overlaps should be managed.

Furthermore, there is nothing preventing the OEGW from independently articulating how it would manage interactions with the UK CCC, including potentially entering into agreements with it.

I do, however, agree with the principle of enabling the OEGW expressly to articulate additional organisations, to those already listed, with which it will seek to avoid overlap within its strategy, based on their own judgement and independent expertise. I will, therefore, bring forward an amendment to paragraph 1(1)(e) of Schedule 2 to include in addition to the list of organisations any other organisations the OEGW considers relevant/appropriate. I consider this will provide sufficient scope and clarity to enable the OEGW to articulate in its strategy how it will avoid overlap with public authorities based on its own independent expertise, rather than an exhaustive list

Recommendation 17. The Welsh Government should explain the outcome of any assessment it has undertaken of potential overlap of functions between the OEGW and OfWat, and between the OEGW and the Drinking Water Inspectorate. If potential overlaps have been identified, it should also explain why OfWat and the Drinking Water Inspectorate have not been listed at paragraph 1(1)(e) of Schedule 2.

Accept

We do not consider there to be substantial overlaps between the OEGW, OfWat and / or the Drinking Water Inspectorate.

Ofwat is the independent economic regulator of the water and sewerage industry in England and Wales. They are responsible for regulating the sectors, acting independently of the industry, government and other stakeholders, while working within the government policy framework. In practice this includes

- Monitoring water companies' environmental performance.
- Publishing annual performance reports.
- Enforces compliance with environmental obligations.

Whilst Ofwat is a reserved authority, we have obtained consent from the UK Government for them to be included within the OEGW's scope

The DWI regulates water companies in England and Wales to ensure safe drinking water is supplied and meets the regulatory standards set down in law. Its principal function is regulatory, where they independently verify water companies are meeting their drinking water quality duties as set out in the Water Industry Act 1991 and the Water Supply (Water Quality) Regulations 2001 as amended in 2007, and, where necessary, take enforcement action where this is not the case.

The OEGW will oversee public authorities' compliance with environmental law, and the implementation and application of environmental law. It is designed to sit above and oversee front-line regulators like Ofwat and the DWI. Provision is made to avoid involvement in operational decision-making, such as regulatory licensing or planning. This strategic positioning is intended to minimise overlap with regulatory functions in general by ensuring the OEGW does not duplicate the regulatory functions of existing bodies, and this applies to OfWat and the DWI.

Whilst I do not consider there to be substantial overlap, as per my response to recommendation 17, I will bring forward an amendment paragraph 1(1)(e) of Schedule 2 to include in addition to the list of organisations any other organisations the OEGW considers relevant/appropriate. The OEGW will then be able to articulate how it will manage any perceived overlaps with these organisations within the strategy, if they consider it necessary to do so.

Recommendation 18. The Welsh Government should bring forward an amendment(s) at Stage 2 to require the OEGW to undertake public consultation in preparing its strategy (or revised strategy)

Accept in Principle

I recognise the importance of the public being able to comment on the strategy of the OEGW. It is our intention that this will be the case and the Well-being of Future Generations Act already requires certain public authorities, through the 5 ways of working to **support** the sustainable development principles to take a collaborative approach to making decisions which considers and involves people of all ages and diversity.

The OEGW will be considered a public authority for the purpose for the Act and so must also meet these requirements. In this respect, we already consider the principle of this recommendation to be captured within the Bill.

I am reluctant to set any further requirement for the OEGW to consult on its strategy beyond this. There is already a clear requirement on OEGW to consult selected bodies and anyone else it considers appropriate, which could include the general public. The approach, scope and reach of the consultation will be determined by the OEGW and its independent board, and we are not minded towards placing any further constraints on this, which would be necessary in order to bring such a provision forward. .

Recommendation 19. The Welsh Government should bring forward an amendment(s) at Stage 2 to provide an enabling power for the OEGW to review its

strategy at any time. This power should supplement, rather than replace, the requirement for the OEGW to review its strategy once every four years

Accept

I agree with this recommendation but consider this is already the effect of the provision at paragraph 2(2) of Schedule 2, which requires the OEGW to review its strategy before the end of the period of 4 years (beginning with the day it is first published) and subsequently before the end of each period of 4 years beginning with the day the previous review is concluded.

The OEGW will be empowered to review its strategy at any point within the 4-year timeframe and after this review, the 4-year clock starts again. The OEGW has continued discretion to review the strategy at any point within that 4-year timescale.

Furthermore, the procedure requirements apply to the initial strategy and any revised strategy.

Recommendation 20. The Welsh Government should bring forward an amendment(s) at Stage 2 to provide a clearly defined role for the OEGW in monitoring and reporting on progress towards statutory biodiversity targets and plans (set under Part 3 of the Bill).

Reject

I do not consider it appropriate to undermine the independence and discretion of the OEGW by providing for, on the face of the Bill, specific elements of environmental law it must oversee.

Evidence from stakeholders, including the OEP, has been clear that whilst, compliance with statutory targets and the monitoring of that compliance is likely to be an area of focus for the OEGW, they do not want the OEGW to be told by Welsh Government that some targets are more important than others. I consider this would encroach on their independence in a way stakeholders have indicated would not be acceptable, and it would not be appropriate to decide which parts of environmental law are 'discretionary' compared to others.

It is already clear within the legislation and explanatory materials that the OEGW can use its independent expertise to determine which targets to monitor, and to what extent.

Recommendation 21. The Welsh Government should bring forward an amendment(s) at Stage 2 to provide a rights-based approach for citizens:

- to make representations to the OEGW on matters relating to environmental law,
- to be kept informed of the OEGW's response to representations and any action taken. Sections 32 and 34 of the Environment Act 2021 provide useful precedents

Accept

The right of citizens to make representations to the OEGW on matters of environmental law is fundamentally important to its effective operations and enabling citizens to have better access to environmental justice. That is why we have already made clear, unambiguous provision to this effect. Paragraphs 1(2)(b) and (c) of Schedule 2 to the Bill already place clear requirements on the OEGW to set out how it will manage representations, including enabling persons to make representations, how these might be published and prioritised, and how persons will be kept informed.

However, I recognise there is confusion around this, which does suggest potential issues around the accessibility of the law if this isn't sufficiently clear. On this basis, I am minded towards making an amendment to provide a new section of the Bill that makes it clear that any persons (including citizens) will be able to make representations to the OEGW on matters relating to environmental law, and that they will be kept informed of the OEGW's response to representations and any action taken.

Recommendation 22. The Welsh Government should bring forward an amendment(s) at Stage 2:

- to enable the OEGW to conduct an internal review of a compliance notice following a request by a public authority under section 18, and
- to ensure that a member of the OEGW's personnel cannot be involved in the review of a compliance notice if they were involved in investigating the alleged compliance failure or in the decision to serve the compliance notice

Accept

The Bill as drafted reflects our desire to balance the need of ensuring the independence of the OEGW is maintained whilst enabling a fair process of review if public authorities are not satisfied the compliance notice they have been issued is valid or correct.

The process of the OEGW appointing independents from a list held by Welsh Ministers is intended to enhance the fairness of the review process by providing a degree of 'separation' from the OEGW, as well as enhance transparency by providing for this list to be published.

However, we have reflected on the feedback from certain stakeholders who do not consider this balance to be quite right. Whilst we do not agree the approach undermines the independence of the OEGW, nor does it 'outsource' its enforcement functions, we can see how this perception could undermine confidence in the OEGW and its processes. We recognise that the Welsh Ministers holding the list could be problematic and be seen to undermine the independence of the OEGW when performing their enforcement functions.

It is on this basis that we accept the recommendation and will bring forward an amendment to provide that the OEGW itself will hold and publish the list of independents. In respect of independent members on the review committee, we

propose to amend the requirement in the Bill from two to one independent member (although it will still allow for the OEGW to appoint more independent members if they wish to do so) to ensure that the balance of the enforcement decision is kept with the OEGW.

I do not need to make any further amendment to the Bill to provide that a member of the OEGW's personnel cannot be involved in the review of a compliance notice if they were involved in investigating the alleged compliance failure or in the decision to serve the compliance notice. This is already provided for by virtue of paragraph 10(6)(C) of Schedule 1 to the Bill.

Recommendation 23. The Welsh Government should bring forward an amendment at Stage 2 to provide that a review of a compliance/urgent compliance notice must be completed as soon as reasonably practicable following a request by a public authority under section 18

Accept

It is our expectation that the OEGW will act reasonably in respect of the compliance notice procedures, especially in relation to urgent compliance notices which naturally will require a quicker turnaround time. However, as this is not expressed explicitly on the Bill, we are exploring an amendment to make express provision about the timescales.

Recommendation 24. The Welsh Government should set out the rationale for providing enhanced protection from disclosure for information notices and compliance notices (under sections 25(1) and 26(1)) beyond the protection already provided under the Freedom of Information Act 2000 and the Environmental Information Regulations 2024.

Accept

The Environmental Information Regulations 2004 ("EIR") and the Freedom of Information Act 2000 ("FOIA") regimes are distinct and separate from each other, being contained in two separate pieces of legislation.

Section 27 does not provide enhanced protection to the information set out in sections 25 and 26 over and above what is already contained in EIR but it importantly clarifies that this information should be considered environmental information within the scope of EIR.

In this respect, Section 27 of the Bill provides that whilst enforcement proceedings are taking place, the information in sections 25 and 26 is capable of attracting an EIR exception that allows disclosure to be refused where it would adversely affect confidentiality of proceedings where such confidentiality is provided by law.

There is no express provision about FOIA in section 27. Section 27 is only about EIR.

Section 43(7) of the Environment Act 2021 (“the 2021 Act”) makes almost identical provision to section 27 of the Bill. Section 27 does not change the application of EIR nor FOIA in Wales. Neither does section 43(7) of the 2021 Act in respect of England.

I consider that it is right that the information is protected in this way where it could form part of proceedings at a future date as the ultimate outcome is court action if a notice is not complied with. However, you will see this provision only applies in the context of confidentiality of proceedings and where other circumstances exist this will not be the case. For example if the OEGW knows they will not be taking further action then the exemptions cannot apply.

Recommendation 25. The Welsh Government should bring forward an amendment(s) at Stage 2 to require the Welsh Ministers to consult the OEGW, stakeholders and the wider public before making regulations under section 29(4).

Accept

We expect it would be unreasonable for Welsh Government to amend the definition of environmental law without consulting the OEGW. I therefore have no objections to making express provision on the Bill which ensures that, before making regulations under section 29(4), the Welsh Ministers must consult the OEGW and [any other persons they consider necessary.

Recommendation 26. The Welsh Government should provide an exhaustive list of reserved public authorities that exercise devolved functions in Wales that would fall outside oversight of the OEGW or OEP.

Accept in principle

We recognise that, because of the way the UK Legislation is drafted, certain organisations that are not subject to the political oversight of the Senedd would not be overseen by the OEP in respect of cross-border matters.

We are unable to provide an exhaustive list, as this is dependent on many factors including on the public authority itself, its status, and whether it is exercising functions within the definition of environmental law, or not. Listing every reserved public authority that might fall within this criteria could lead to unintended consequences such as uncertainty over whether that any authorities not captured within the list are subject to the oversight of the OEGW, or the OEP, or neither, or uncertainty in respect of bodies that are subsequently abolished or merged with other bodies or new bodies created after the Bill becomes an Act. .

When we consulted on the public authorities to be included within the scope of the OEGW during the white paper, we provided a list of public authorities and many responses urged caution over this approach, reflecting that providing a definition-led approach to what is, or isn't, within the scope of the OEGW would be preferable as it is future proof, and enables the relevant experts to take a judgement as to whether an individual authority meets the criteria or not. Having a

definition allows for flexibility as bodies are abolished or merged or new bodies created. The same concern applies in this case.

However, I recognise it could be helpful to provide an illustrative, non-exhaustive list of authorities that we consider could fall within the criteria of reserved authorities exercising devolved functions in Wales, that could fall outside the oversight of the OEGW and OEP.

This includes:

- Network Rail
- Ministry of Defence
- Department for Energy Security & Net Zero
- Crown Estate
- UK Civil Aviation Authority
- Maritime & Coastguard Agency
- Ofgem:
- National Electricity System Operator
- North Sea Transition Authority
- Office for Nuclear Regulation

Recommendation 27. The Welsh Government should commit to seeking consent from the UK Government to bring reserved public authorities that exercise devolved functions in Wales within the OEGW's oversight. If it is unwilling or unable to obtain consent, it should bring forward an amendment(s) at Stage 2 to require the OEGW to set out in its strategy how intends to work with the OEP to address compliance issues in relation to those authorities

Reject

Without UK Government consent, it would not be possible for the Senedd to legislate for the OEGW to oversee these reserved organisations in Wales. Neither the Senedd or the Welsh Ministers exercise political control over these organisations. Whilst we could seek consent for these reserved organisations, it would not resolve the problem that they are ultimately accountable to the UK Parliament and not the Senedd.

We are committed to working with the UK Government towards resolving accountability and compliance issues arising from the activities of UK Government-owned organisations in Wales this is not something our Bill can deal with in isolation.

In the meantime, we consider voluntary interim measures can be used for the OEGW and OEP to collaborate on cross-border matters and reserved authorities.

Recommendation 28. The Welsh Government should bring forward an amendment(s) at Stage 2 to include a "headline target" in the Bill to reflect the overall ambition for biodiversity recovery by 2050, aligned with the Global Biodiversity Framework 2050 vision.

Reject

The Welsh Ministers recognise the need to increase our ambition for halting and reversing biodiversity loss in Wales to address the nature emergency. I believe that this is embedded in our Bill but am also proposing an amendment to further reflect the global ambition.

Feedback from some stakeholders indicated the headline target proposed in the White Paper was unenforceable, irrelevant and unachievable due to its vague, ambiguous wording and not feasible within the 2030 timeframe. Setting a headline target would mean doing so without undertaking the necessary scenarios modelling to enable us to accurately determine a specific, measurable, achievable and realistic target.

Instead, I replaced this with a precondition to the exercise of the Welsh Ministers' regulation making power that they must be satisfied that a target will, if met, contribute to halting and reversing the decline in biodiversity, in particular through one or more of increasing native species abundance, enhancing ecosystem resilience and increasing genetic diversity. This precondition will effectively have the same effect as a headline target ensuring all targets set will contribute to this overall ambition.

To reflect the overall ambition for biodiversity recovery by 2050, aligned with the Global Biodiversity Framework 2050 vision, I will be bringing forward an amendment to require the Welsh Ministers to set out Wales' ambition and how they intend to achieve this in their section 6 plan.

Recommendation 29. The Welsh Government should bring forward an amendment(s) at Stage 2 to include a requirement on the Welsh Ministers to:

- make regulations to set a "2035 species abundance target" within 18 months of the Act receiving Royal Assent, and
- consult stakeholders and the public before making regulations. These regulations must be subject to the Senedd approval procedure

Accept in principle

I agree with the recommendation to place a duty on Welsh Ministers to set a 'short-term' native species target as it will help galvanise early action to halt and reverse biodiversity decline in Wales.

However, I do not accept the recommendation to lay such a target within 18 months of Royal Assent. Instead, in line with the other priority area targets, I propose amending the timeframe from three to two years.

I also do not accept the recommendation to place an express duty to consult before setting targets. Whilst I understand the reason why the Committee have recommended an express duty, I believe this is already provided for within the Bill because, when making regulations, the Welsh Ministers must

(1) apply the principles of SMNR (which include making appropriate arrangements for public participation in decision making, i.e. some form of consultation) and

(2) seek independent expert advice.

There is also a requirement to consult (normally for 12 weeks unless there is good reason not to) under the Welsh Government's consultation guidance.

There is a danger in causing confusion or undermining the existing legislative processes if an express duty to consult is placed on the front of the Bill alongside a duty to apply the principles of SMNR.

I invite the Committee to address the following:

- a. What is the shortfall/gap that exists now between what is effectively a duty to consult in legislation and procedure and an express duty to consult?
- b. If there is no gap/shortfall but they still want the duty, can they confirm how such a duty would not conflict or undermine what already exists.
- c. If there is a gap/shortfall, then can they please provide a proposal for a narrow duty that fills that gap without causing conflict or uncertainty with existing legislation and procedures.

However, I will be bringing forward an amendment which will require the Welsh Ministers to publish a summary of consultation responses.

Recommendation 30. The Welsh Government should bring forward an amendment(s) at Stage 2 to provide that the framework for setting targets under section 6B of the Environment (Wales) Act 2016 (introduced by section 33 of the Bill) should require the setting of both short-term/interim and long-term targets.

Accept

Whilst the Bill as currently drafted allows for the setting of any duration of target, I recognise the strength of feeling from the Committee and eNGOs to galvanise action in the short term, whilst setting out our long-term ambition.

Given this, I will be bringing forward an amendment that requires the Welsh Ministers to set at least one short-term and one long-term target (being a target with a specified date no less than 15 years from date regulations come into force) in priority areas (a) reducing the risk of the extinction of native species and (b) the effective management of ecosystems.

Recommendation 31. The Welsh Government should bring forward an amendment(s) at Stage 2 requiring the Welsh Ministers to lay regulations setting targets in the four priority areas within 18 months of the Act receiving Royal Assent

Reject

I recognise the calls from the eNGOs and the committee to deliver the targets as soon as possible, and I agree. However, it is crucial that sufficient thought and planning goes into the targets to ensure we develop the right targets which will deliver impact in tackling the nature emergency. We need to ensure we avoid unintended consequences – ecosystems are dynamic, so the wrong target could actually harm nature.

Setting targets within 18 months, this would limit the amount of modelling we are able to undertake, potentially reducing the level of ambition for our targets with resource focussed on more action-based measures. Noting we have also agreed to increase the number of targets introduced through requiring short and long- term targets in some areas which will also increase target development workload.

I will be tabling a government amendment to reduce the timeframe for the laying of target setting regulations to within two years. This means if we can deliver earlier, we will but places a clear requirement on Ministers that regulations must be laid within two years.

Recommendation 32. The Welsh Government should bring forward an amendment(s) at Stage 2 to include a requirement on the Welsh Ministers to consult stakeholders and the public before making regulations setting a target under new section 6B of the Environment (Wales) Act 2026 (inserted by section 33 of the Bill)

Accept in principle

I agree with the Committee's recommendation to ensure consultation with stakeholders and the public before making regulations.

However, I believe the Bill, as drafted, already requires this. Please see rationale under recommendation 29.

Recommendation 33. The Welsh Government should bring forward an amendment(s) at Stage 2 to require the Welsh Ministers to review targets once every Senedd term

Accept in principle

The Bill already requires targets to be monitored, evaluated and reported on every three years through the existing section 6 report and the new section 6A evaluation report. The target review process included in 6G of the Bill has a very specific purpose and will be triggered if the monitoring and reporting consider that the target cannot be met or is no longer appropriate.

However, I am bringing forward a duty on the Welsh Ministers to review the effectiveness of the targets at least once every ten years (to align with the GBF and its successors). During such review, the Welsh Ministers must consider whether any further targets are necessary to help drive action to halt and reverse the

decline in biodiversity in Wales. This review will also apply where an existing target is not met.

The Welsh Ministers must lay a statement before the Senedd noting the conclusions of this review.

For this reason, I disagree with the proposal that a review should be carried out every Senedd term as this would place an unnecessary administrative burden given the regular cycle of monitoring, evaluation and reporting already set out in the Bill.

Recommendation 34. The Welsh Government should bring forward an amendment(s) at Stage 2 to require the Welsh Ministers to consult stakeholders and the public before making regulations that revoke or lower a target under new section 6B of the Environment (Wales) Act 2016.

Accept in principle

I agree with the Committee's recommendation to ensure consultation with stakeholders and the public before making regulations, but I believe this is already covered by the Bill. Please see rationale under recommendation 29.

Recommendation 35. The Welsh Government should bring forward an amendment(s) at Stage 2 to require the Welsh Ministers to replace a target that is revoked with an alternative target.

Accept in principle

Whilst I understand the reason behind the committee's recommendation, I am concerned that replacing a revoked target with an alternative target means we would get into a continuous cycle of creating new targets where it may not be appropriate to do so.

However, I am bringing forward a duty on the Welsh Ministers to review the effectiveness of the targets at least once every ten years (to align with the GBF and its successors). During such review, the Welsh Ministers must consider whether any further targets are necessary to help drive action to halt and reverse the decline in biodiversity in Wales. This review will also apply where an existing target is not met. (see Recommendation 33 above).

Recommendation 36. The Welsh Government should bring forward an amendment(s) at Stage 2 to impose a duty on the Welsh Ministers to make arrangements for obtaining biodiversity data for the purpose of monitoring progress towards targets set under new section 6B of the Environment (Wales) Act 2016

Reject

The Bill provisions already require targets to be monitored, evaluated and reported every three years through the existing section 6 report and the new evaluation report at section 6A.

The Bill also contains strong provisions to support transparency and accountability in monitoring biodiversity targets. Notably, section 6B(5)(b) places a duty on Welsh Ministers to specify indicators for measuring progress against targets.

The use of indicators naturally requires the Welsh Ministers to support the collection and availability of the data needed to inform them. These indicators will be published as part of the section 6 report, ensuring that the underlying data is made publicly accessible.

In addition, one of the priority areas for target setting focuses on improving the quality, accessibility, and application of biodiversity evidence. This is intended to ensure that robust data and information are available to support decision-making, policy development, and progress monitoring

Furthermore, Natural Resources Wales already has a statutory duty under the Environment (Wales) Act 2016 to produce the State of Natural Resources Report (SoNaRR), which provides comprehensive data and analysis on Wales's natural resources, including biodiversity.

Taken together—the indicator mechanism, the evidence-focused priority area, and the SoNaRR reporting duty—these provisions ensure that relevant biodiversity data will be collected, used, and made available. In my view, introducing an additional duty on Welsh Ministers is not necessary and would not add substantive value to the Bill.

Recommendation 37. The Welsh Government should set out the steps it is taking to address existing gaps in biodiversity data, and increase biodiversity monitoring capacity and capability, including through the use of citizens science.

Accept

I have provided a comprehensive written response to the committee, set out in Annex 2.

Recommendation 38. The Welsh Government should give further consideration to bringing forward an amendment(s) at Stage 2 to impose a general duty on public authorities to contribute to the delivery of biodiversity targets. Any such duty should replace the power for the Welsh Ministers to designate public authorities in relation to a target and the associated duty to contribute to achieving that target.

Reject

There is already a duty on public authorities in section 6 of the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity and promote the resilience of ecosystems when they exercise their functions in Wales. The duty to contribute is in addition to that duty.

Setting targets in priority areas will provide further clarity on action designated public authorities can take that will also contribute to their existing duty under to

maintain and enhance biodiversity, which will strengthen the existing mechanisms in section 6.

This new duty for designated public authorities to contribute to the delivery of targets will strengthen and provide further clarity on the implementation of the section 6 duty.

Because the targets will address specific aspects of biodiversity and the drivers of biodiversity loss, it would not be appropriate to impose a blanket duty on all public authorities beyond what section 6 already requires because it may be that not all public authorities in the exercise of their functions will be able to contribute to all of the targets.

Given the existing section 6 duty and the varied capacity of public authorities to contribute to specific targets, as highlighted by the WLGA in their evidence, I do not consider an additional overarching duty to be necessary.

Recommendation 39. The Welsh Government should bring forward an amendment(s) at Stage 2:

- to require the Welsh Ministers to issue guidance to public authorities to support implementation of the duties under section 6 of the Environment (Wales) Act 2016, as amended by the Bill, and
- to require authorities to have regard to this guidance

Accept in principle

Public Authorities already have a duty to have regard to guidance issued to them under section 6 (4) (b) of the Environment Wales Act 2016.

I agree with the Committee's recommendation to provide guidance to public authorities to support the implementation of duties, and I have set out our intention to do so in the Explanatory Memorandum which states 'to assist designated public authorities in complying with this duty to contribute, the Welsh Ministers intend to update their guidance for the section 6 duty'.

Recommendation 40. The Welsh Government should bring forward an amendment(s) at Stage 2 to impose a requirement on the Welsh Ministers to undertake public consultation before publishing a plan (or a revised plan) under section 6(6) of the Environment (Wales) Act 2016

Accept in principle

As I have outlined in my response to recommendations 29, 32 and 34, Ministers are under a duty to apply SMNR before making regulations, which I consider effectively provides a duty to consult.

There is currently no duty on the Welsh Ministers to either apply the principles of SMNR or consult before publishing a plan under section 6. Given the proposed amendments to the Welsh Ministers' section 6 plan through the Bill, I will bring forward an amendment to include a duty to apply the SMNR principles in relation to

the Welsh Ministers' section 6 plan and to publish a summary of consultation responses.

Recommendation 41. The Welsh Government should bring forward an amendment(s) at Stage 2 to impose a requirement on the Welsh Ministers to ensure that the plan under section 6(6) of the Environment (Wales) Act 2016 sets out proposals and policies covering the areas of responsibility of each of the Welsh Ministers.

Accept

I agree with the Committee's recommendation for the Welsh Ministers' section 6 plan to set out proposals and policies covering the areas of responsibility of each of the Welsh Ministers. I will bring forward an amendment to reflect this requirement.

Recommendation 42. The Welsh Government should clarify whether it intends for the OEGW to be added to the list of public authorities in Schedule 6 to the Welsh Language (Wales) Measure 2011. That being the case, it should explain why the Bill does not make provision for this

Accept in Principle

I had originally considered the OEGW would be added to the list of Public authorities in the Welsh Language (Wales) Measure 2011 by Order as has been done recently done in respect of another Body in the [The Welsh Language \(Wales\) Measure 2011 \(Amendment of Schedule 6\) Order 2025](#) (SI 2025/329, I had intended such an order should be made once the Body is fully operational.

On reflection, and following the Committees recommendation, I am exploring making this provision on the face of the Bill as a consequential amendment to ensure certainty that this is the WG intention.

Annex 2: Response to CCEI Committee’s Recommendation 37 on the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill – October 2025

Recommendation 37: The Welsh Government should set out the steps it is taking to address existing gaps in biodiversity data, and increase biodiversity monitoring capacity and capability, including through the use of citizen science.

The Welsh Government recognises that a robust, comprehensive evidence base is essential to inform biodiversity policy, assess progress against national and global targets, and guide nature recovery action. Work is underway to strengthen biodiversity monitoring in Wales, address identified data gaps, and enhance monitoring capacity, including through citizen science and partnership approaches. Given the wide range of potential partners who will need to work collaboratively, effective governance through clear roles and responsibilities needs to be established

1. International reporting requirements

In considering monitoring and reporting for Wales it is important to recognise how this nests with key international reporting requirements. The Convention on Biological Diversity (CBD) Kunming-Montreal Global Biodiversity Framework (GBF) adopted an enhanced approach to planning, monitoring, reporting and review to underpin successful delivery. Wales has consequently worked collectively with the four UK governments to: -

- publish a joint *‘Blueprint for Halting and Reversing Biodiversity Loss: the UK’s National Biodiversity Strategy and Action Plan (NBSAP) for 2030’* emphasising our collective ambition and determination to work together to address biodiversity loss.
- submit a set of 23 National Targets to the CBD on 1st August 2024. These sit alongside the NBSAP and include a subset of country-level commitments to illustrate the actions by which the GBF will be delivered in the UK. These are publicly available on the CBD [Online Reporting Tool](#).
- summarise our progress in implementing the GBF and the national targets through the 7th National Report to be submitted to the CBD in 2026. A global review of the progress made will be discussed at COP17 in 2026.

2. Working in partnership to monitor the UK’s wildlife

Annual UK Biodiversity Indicators (UKBI) enabling tracking of progress on our national and international biodiversity commitments are produced by JNCC and UK. These indicators are currently being updated to reflect the GBF targets and will be used in the UK's 7th National Report. Each of the four countries in the UK have their own set of biodiversity indicators that assess progress against targets set out in national biodiversity strategies.

The four countries and JNCC also work together on a number of wildlife surveillance schemes, often run in partnership with NGOs, the nature conservation community and volunteer recorders. Examples include the Breeding Bird Survey, Seabird Monitoring Programme, National Bat Monitoring Programme, UK Butterfly Monitoring Scheme and the National Plant Monitoring Scheme. The data from the schemes are used in multiple ways, including in the UK Biodiversity Indicators, official statistics and reporting under the Habitats Regulations.

3. **Statutory monitoring and reporting framework**

The *Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill* introduces a statutory biodiversity target-setting framework which reflects the international requirements. This requires Welsh Ministers to prepare detailed plans to achieve the targets, establish mechanisms for regular monitoring and evaluation, and publish reports to ensure transparency and accountability. This framework will underpin a more systematic and coordinated approach to biodiversity data collection and use. For example, adoption of existing indicators to monitor progress of the new biodiversity targets where possible such as using UK Biodiversity indicators disaggregated to a Wales level. The Well-being of Future Generations (Wales) Act 2015 monitors and reports annually on Indicators 43 - extent and condition of ecosystems in Wales and 44 Status of Biological Diversity in Wales which will complement and not duplicate new statutory targets.

The Conservation of Habitats and Species Regulations 2017 requires periodic reporting on the implementation of the Habitats and Birds Directives (92/43/EEC and 2009/147/EC). Regulation 9A focuses on the achievement of Favourable Conservation Status by bringing together information on habitats, non-bird species, and birds of European importance into a single, integrated format, covering their condition, trends, pressures, and the measures in place to conserve them.

The report for the period 2019–2024 is currently being finalised by Natural Resources Wales (NRW) on behalf of the Welsh Government (WG) and

represents Wales's first country-level assessment under the Conservation of Habitats and Species Regulations 2017. This comprehensive and data rich evidence base aligns and with other statutory environmental assessments such as the State of Natural Resources Report (SoNaRR) to provide a connected evidence base for Wales's terrestrial, freshwater, and marine environments

4. **Use of evidence in policy, programmes and reporting**

The data and evidence generated through these frameworks directly inform Welsh Government policy development, support statutory reporting under the *Environment (Wales) Act 2016*, Sustainable Land Management under the *Agriculture (Wales) Act 2023*, and contribute to Natural Resources Wales's SoNaRR. These mechanisms ensure that biodiversity evidence supports policy and decision-making as well as reporting progress.

Environment and Rural Affairs Monitoring and Modelling Programme (ERAMMP) provides the national evidence framework that supports Welsh Government biodiversity, agriculture, and climate policy, delivering long-term monitoring data, modelling, and analysis to inform progress against environmental targets.

5. **Strengthening evidence through national frameworks**

The *30 by 30 Framework for Wales* sets out how Wales will contribute to the global goal of protecting 30 % of land, freshwater, and sea by 2030. It highlights the need for robust monitoring and evidence frameworks and commits to inclusive, participatory approaches that actively involve communities and citizen scientists. At the core of this initiative is the need to establish a present-day baseline and monitoring approach to assess our progress towards meeting the target. Whilst the extent of existing protected sites is known, the effectiveness of their management in producing intended conservation outcomes is less certain. Only those protected sites with evidence supporting a favourable or unfavourable recovering condition will count towards the 30 percent.

In addition to our statutory protected sites, which make up around 12% of Wales, other effective area-based conservation measures' (OECMs) are going to play a key role in meeting the target. Our new approach to effective management assessment is based on the Management Effectiveness of Protected and Conserved Areas (MEPCA) methodology developed by JNCC. This is a lighter touch monitoring approach to provide a rapid assessment

across marine, freshwater, and terrestrial environments applicable for both protected areas and OECMs

6. **Monitoring and Evidence Expert Group**

Established in May 2023, the Monitoring and Evidence Expert Group reviewed existing biodiversity monitoring in Wales, identified key evidence gaps, and made recommendations to improve coordination, expand citizen science, and embed technological innovation. The Group developed a draft monitoring framework aligned with the Global Biodiversity Framework, which will inform implementation of the new statutory targets and guide future investment in monitoring capacity.

7. **Data accessibility and integration**

Open-access platforms such as *DataMapWales* and *NBN Atlas Wales* provide a central resource for biodiversity and environmental data, supporting transparency and enabling the effective use of monitoring data by public authorities, researchers, and the wider public.

Welsh Government continues to work with Natural Resources Wales, the four Welsh Local Environmental Record Centres (LERC), and the UK Joint Nature Conservation Committee to improve data interoperability and consistency across monitoring programmes.

8. **Local Environmental Record Centres (LERCs)**

Wales's four LERCs play a vital role in collating, verifying, and managing biodiversity data from a wide range of sources, including professional surveys, Local Nature Partnerships, and citizen science initiatives. They ensure that locally collected data are quality-assured and made accessible for use in planning, conservation, research, and policy.

LERCs also provide training, support data-sharing platforms, and act as the primary interface between community recorders and national datasets, feeding information into *DataMapWales* and *NBN Atlas Wales*. Their work significantly enhances the coverage, accuracy, and usability of biodiversity evidence across Wales. An evaluation is currently being undertaken to ensure that the service the LERCs provide is being optimised.

9. **Investment in skills and partnerships**

The £45 million *Nature Networks Programme (2022–2025)* supports improved condition and connectivity of protected sites and includes measures to build local capacity for biodiversity monitoring. This includes volunteer training, community engagement in data collection, and evaluation through the ERAMMP.

Local Nature Partnerships (LNPs), supported through *LNP Cymru*, provide biodiversity advice, coordinate local monitoring, and facilitate community participation in nature recovery, with outputs feeding into national datasets.

10. **Citizen science and community participation**

Citizen science forms an integral part of Wales's approach to addressing data gaps and expanding monitoring capability.

Welsh Government and its partners support a range of initiatives that enable individuals and communities to contribute to biodiversity evidence, build local capacity, and strengthen engagement with nature:

- **Lab Dŵr**, managed by North Wales Rivers Trust, trains volunteers across North and Mid Wales to monitor river water quality and habitat health.
- **Shoresearch**, run by The Wildlife Trusts of South and West Wales, involves volunteers in coastal and intertidal surveys to monitor marine biodiversity.
- **Seasearch Wales**, coordinated by the Marine Conservation Society, engages divers and snorkellers in recording marine habitats and species.
- **Cudyll Cymru**, led by the British Trust for Ornithology, invites volunteers to monitor Welsh raptor species, improving data on breeding and distribution.
- **Welsh Beaver Project** provides a citizen science toolkit for volunteers to record sightings and field signs, contributing to the monitoring of this keystone species.
- **Ancient Tree Recording**, coordinated through the Wales Biodiversity Partnership, enables the public to record ancient and veteran trees across Wales.
- **Air Your View**, a schools-based programme, equips pupils and community groups to measure air quality and understand its links to ecosystem health.
- **Smart Rivers Hub**, operated by North Wales Rivers Trust, trains volunteers to monitor aquatic invertebrates across multiple catchments.

- **Citizen Science Support Programme** (Dŵr Cymru) provides small grants to community groups to develop and deliver their own environmental monitoring projects.
- **Community Water-Quality Citizen Science** (Wye and Lugg catchments), run by Friends of the River Wye, engages volunteers in large-scale monitoring of nutrient levels and river health.

In addition, Wales contributes to UK-wide citizen science initiatives such as the *Big Butterfly Count*, *Big Garden Birdwatch*, and *Bugs Matter*, which generate valuable long-term species-trend data. Natural Resources Wales continues to champion citizen science as a cost-effective and scalable means of biodiversity monitoring and is working to strengthen data integration and quality assurance.

11. Innovation in monitoring techniques

The Welsh Government recognises the potential of emerging technologies, including environmental DNA (eDNA), to complement traditional biodiversity monitoring methods. eDNA enables the detection of species presence from environmental samples such as water, soil, or air, offering a non-invasive approach to collecting biodiversity data. While there is currently no formal eDNA citizen science projects operating across Wales, its use is being explored in pilot and research contexts to improve early detection of species and to strengthen evidence on species distributions. For instance, the North Wales Resilient Ecosystem Pilot Project (NWREPP) is developing an eDNA horizon scanning tool for invasive non-native species in river catchments, aiming to enhance early detection and prevention measures. The Welsh Government will continue to assess innovative approaches such as eDNA to enhance monitoring capability and inform future biodiversity strategies. Increased use of new and innovative tools such Earth Observation will also be key to charting progress.

12. Next steps

The Welsh Government acknowledges that further work is required to address remaining data gaps, particularly in marine, soil, and species-abundance data, and to ensure long-term coordination and resourcing of biodiversity monitoring in Wales.

The development of the statutory biodiversity targets framework and the recommendations of the Monitoring and Evidence Expert Group will guide future investment, innovation, and strategic action in this area.