

Sustainability Committee

SC(3)-11-10 : Paper 5 : 12 May 2010

Scrutiny of the Environment Strategy

Response from RSPB Cymru

Introduction

RSPB Cymru welcomes the opportunity to give evidence to the committee as it scrutinises the delivery of the Wales Environment Strategy (WES) Action plan. It is especially timely as 2010 is the International Year of Biodiversity, and it is clear that the EU target to halt the loss of biodiversity by this year will not be met.

RSPB Cymru is keen to see the full and timely implementation of the Action Plan, we have repeatedly asked for an analysis of the budget and resource allocation necessary to achieve the outcomes listed in the Action Plan. It would be helpful if the Committee could ask the Welsh Government if it is planning to undertake and publish this work.

As political leaders grapple with budgets and decide where to make cuts in public spending, we are urging politicians to cut wasteful expenditure that damages and pollutes our environment and invest in protecting nature and the future health of the planet. RSPB Cymru believes there is an opportunity presented by the current financial crisis to move to an economy that does not rely on exploiting natural resources beyond their capacity to replenish what we take. This would create a truly sustainable economy.

The Action Plan is not the only means to deliver the Environment Strategy outcomes and we welcome the committee seeking views on how the Sustainable Development scheme is being implemented.

Biodiversity is a key indicator of sustainable development, as recognised in One Wales One Planet, which states that "biodiversity conservation will be built in to everything that we do". However, while Wales has had its sustainable development duty since the first Government of Wales Act 1998, it is clear we are failing to deliver sustainable development as we continue to see declines in our wildlife in Wales.

The Wales Audit Office report, Sustainable development and business decision making in the Welsh Assembly Government, highlighted that:

Limitations in the Assembly Government's business processes have impaired their effectiveness in embedding sustainable development objectives and principles in decision-making.

And that sustainable development is seen as a one of a number of competing priorities rather than the means by which the Assembly Government manages its competing priorities.

We believe that these concerns also apply to biodiversity and that Wales has continued to promote policies that promote economic development at the expense of biodiversity and that we are failing to live within environmental limits (one of the key principles of sustainable development).

Environment Strategy Outcomes and Actions - Overarching comments

It is clear that Wales (and other countries) will fail to meet the EU target to halt biodiversity loss by 2010. The WES commits Wales to a future target of having recovery of biodiversity underway by 2026 (Outcome 19). European Heads of State recently endorsed a new EU target of halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible.

RSPB Cymru is calling for a full and open inquiry, held in public in the National Assembly for Wales, into the reasons why the 2010 target to halt biodiversity loss will not be met. An inquiry is needed to critically examine the wide range of complex issues associated with the 2010 target and to make recommendations for what should happen next. The focus and energy behind this should be captured and used to help us move on and meet future targets.

We welcome the approach of the Welsh Government in developing a Natural Environment Framework (NEF) during 2010, and are committed to supporting this process. However, we do not believe that a thorough investigation into the reasons for failure to deliver the 2010 target can be achieved as part of the development of the NEF. We believe a full and open inquiry into the 2010 target should be carried out in public into the reasons why we missed the target, and the findings and recommendations of the inquiry should influence the forward-looking NEF.

Further, to date the NEF development has supported an approach centred on delivery of ecosystem services to progress environmental outcomes. While we support the ecosystem approach to maximise biodiversity conservation outcomes (and subsequent delivery of WES), this should be used to compliment existing efforts to restore ecosystem function, counter habitat fragmentation and restore the full component of biodiversity to landscapes and seascapes.

We understand the NEF will include within its scope provision for setting out delivery plans (including the spatial expression of these

plans) for environmental priorities within each Wales Spatial Plan (WSP) Area - the Networked Environment Regions (NER) process. We welcome this development, and have contributed to the initial development of the concept through the WSP South East Wales Area Environment sub-group. We trust it will be rolled out with continued dialogue between stakeholders and organisations such as ourselves and Wales Environment Link (WEL) partners who hold the technical knowledge and data to ensure it delivers effectively on WES outcomes.

Successful delivery of the WES actions and outcomes must include an element of monitoring, evaluation and adaptation. To date, with an incomplete set of indicators and insufficient monitoring data it is unclear how the Welsh Assembly intends to measure progress against the full range of outcomes it is committed to in the WES.

The RSPB is involved as a partner or stakeholder in the delivery of a number of actions set out in the 2008-2011 Action Plan, particularly under the headings Biodiversity and Marine. The remainder of this submission considers these actions.

Progress with Actions - Biodiversity

RSPB Cymru, as a major landholder, land manager and voluntary organisation as well as a member of the Wales Biodiversity Partnership (WBP) and WEL, is involved as a stakeholder in the implementation of these actions. The 'Biodiversity' actions are detailed below:

The Environment Strategy sets out how Wales will address its international obligations and the need to halt the loss of biodiversity and protect sites of international, Welsh and local importance in the wider environment. Actions are defined to progress towards WES targets with milestones set at 2010 and 2026.

Environment Strategy outcomes supported by actions detailed under this theme include: 1, 2, 3, 4, 8, 16, 19, 20, 21, and 23.

As outlined earlier it is widely recognised that Wales (along with many other nations) is unlikely to meet the 2010-biodiversity targets. This clearly demonstrates that the wider environment in Wales is increasingly hostile to biodiversity and that our special sites are not in a condition favourable to supporting the species and habitats that rely on them.

As a major landowner in Wales, RSPB Cymru is joint lead on one of the actions in the WES Action Plan:

Action 1.C - RSPB Cymru incorporates management for designated features and sites into all relevant reserve management plans in consultation with CCW and other relevant stakeholders. Our landholdings are all managed on a five-year management plan cycle and all relevant operations are costed into these plans.

We are actively engaged in the Outcome 21 Task and Finish Group set-up by the WBP and have attempted (albeit unsuccessfully) to access the extranet infrastructure set-up by CCW to review the actions database.

As part of the WBP, RSPB Cymru is joint lead on two of the actions in the WES Action Plan:

Action 4 RSPB Cymru was integrally involved in the group formed by the WBP to develop structures to deliver Biodiversity Action Plan (BAP) targets for Wales. We continue to be actively engaged in this process providing both staff time and resources to the ecosystem groups, species expert group and policy group set-up to progress biodiversity delivery. RSPB Cymru provide the chair and secretariat to the Wales Species Expert Group.

Action 5 - RSPB Cymru supports the Partnership Against Wildlife Crime (PAW), monitoring species and sites at risk and liaising with partners and stakeholders.

Outcomes

Designated sites in favourable condition for their full component of biodiversity (21)

The original momentum that progressed work towards the WES target to bring designated sites into favourable condition appears to have waned. Progressing this action hinges on the actions database and extranet infrastructure being fit for purpose which presently is not the case. Because of this there appears to be a lack of direction on where to go next though it is clear there is an urgent need to begin scaling up the implementation of action on sites. Furthermore, site priorities are not fully resolved in terms of delivery for multiple objectives - SAC, SPA, SSSI and section 42 NERC Act 2006 species and habitats.

Delivering biodiversity targets in the wider environment (20)

Action to develop structures and processes to meet new BAP targets has been completed. However, there remains a fundamental need to mobilise adequate resources to ensure this framework is able to operate effectively. At present there is a heavy reliance on the organisations within the WBP to resource this work. However, the Welsh Assembly should take a more equitable financial and technical responsibility as part of its commitment to sustainable development.

Progress with actions - Marine

Actions 6-8 are aimed at maintaining and enhancing the quality of our marine environment. RSPB Cymru, as a member of Wales Environment Link (WEL), is involved as a stakeholder (i.e. joint lead) in the implementation of these actions (including through WEL's membership of the Wales Coastal and Maritime Partnership/WCMP).

Environment Strategy outcomes supported by actions detailed under this theme include: 1, 3, 4, 8, 20, 22, 23, 35. We would suggest that the actions must also make a vital contribution to Outcome 19 (halting the loss of biodiversity, and recovery underway).

Action 6.A. As a member of WEL's Marine Working Group, the RSPB either represents WEL in various processes aimed towards implementation of aspects of the Marine and Coastal Access Act, or has input via other member organisations acting as WEL representatives.

Elements of the Marine Act that are already being (or have already been) progressed, with related stakeholder processes, include:

The Sea Fisheries Committees in Wales were disbanded on 1 April 2010, and WAG's Fisheries Unit (Rural Affairs Department) is now responsible for management and enforcement of sea fisheries in Welsh waters. WEL provided input to the design of a new structure to secure stakeholder engagement in future inshore fisheries management, and provided advice as to reporting and information provision.

The Marine Conservation Zones, Wales project has been initiated to identify Highly Protected Marine Conservation Zones (HPMCZs). RSPB represents WEL on the Stakeholder and Citizen Engagement Group associated with this process (see below).

The pre-consultation draft of the Marine Policy Statement, produced by all four UK administrations, has been published and discussed by a working group of the WCMP.

In addition, WEL has responded to a WAG consultation on a draft Marine Protected Areas strategy, which considers existing protected areas - particularly SSSIs and Natura 2000 sites with intertidal and (in the case of Natura 2000 sites) sub-tidal components - in addition to future designation under the Marine Act.

However, we are not aware of a framework that sets out, in one place, WAG's timetable for implementation of the different aspects of the Marine Act or delivery of WES outcomes for the marine environment. As stakeholders we would find it helpful to see a forward plan setting out the various stages of implementation, including key consultations, as well as dates when documents or reports are to be laid before the Assembly in relation to the Act.

Action 7. Detailed discussion with stakeholders on the new marine planning system has not yet commenced; a sub-group of the WCMP has recently considered the pre-consultation draft of the Marine Policy Statement, the high-level, UK document expected to set the context for the development of marine plans by WAG and the other administrations. We are concerned that the draft MPS currently fails to integrate sectoral policies - it could be described as a wish list for sectoral expansion alongside a list of existing legislative and regulatory requirements - and therefore fails to really move us forward from the current situation. We are also concerned that it does not adequately integrate the concepts of sustainable development and the ecosystem-based approach to management.

Action 8. As mentioned, the project to identify HPMCZs in Wales has commenced with the establishment of a governmental Steering Group, a Technical Advisory Group (TAG) and a Stakeholder and Citizen Engagement Group (SCEG). The RSPB represents WEL on the SCEG, whose role is to advise WAG on, and facilitate, wider consultation in relation to the project. This is a challenging, and critical area, and our impression is that a very substantial task remains to ensure the wider stakeholder community is aware of the project, its progress and aims. We have requested (and it has been agreed, although it has not happened yet) that the agendas and minutes from all of the groups involved should be published online to ensure the project is transparent. Our greatest concern about the HPMCZ project is the need for clear guidance as to how socio-economic considerations will be taken into account in identifying appropriate sites; this must not be allowed to undermine the objectives of supporting ecosystem recovery and resilience.

Outcomes

The relevant outcomes include Outcome 22, which can be seen as the overarching vision for the marine environment: Our seas will be clean and support healthy ecosystems that are biologically diverse and productive and managed sustainably (22). With the passing of the Marine and Coastal Access Act and the initiation of various strands of delivery in Wales, we are beginning to travel in the right direction, but some of the tools to deliver this outcome are still in early stages of development. As mentioned above, the marine actions must also make a vital contribution to delivery of Outcome 19 (recovery of biodiversity) which is not explicitly recognised in the Action Plan. Furthermore, successful delivery of Outcome 21 (designated sites in favourable condition) depends on action to secure good management of designated sites in the marine environment as well as on land.