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Environment and Sustainability Committee  
National Assembly for Wales  
Cardiff Bay  
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CF99 1NA

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Annwyl Cadeirydd,

### **Scrutiny of Natural Resources Wales 6<sup>th</sup> May 2015**

I would be grateful to be allowed to correct some erroneous statements that were made to your Committee during its meeting of the 6<sup>th</sup> May when scrutinizing the performance of NRW.

I should from the outset state that, as the former CEO of CCW and, prior to that, Director of EAW, I strongly supported the establishment of NRW. Despite the committed and expert efforts of the staff of the predecessor bodies, all the evidence showed a continuing decline in the quality of our natural environment – a global trend – over many years; it was clear that a new approach was both essential and urgent.

It is therefore disappointing to see Peter Matthews, Chair of NRW, seeking to defend the performance of NRW by criticising the work of the predecessor bodies. NRW's performance should surely be defended through reference to what it has achieved, rather than by seeking to cast a shadow over the efforts and achievements of those who came before.

In his evidence to Committee, Mr. Matthews stated that he found that SSSIs *'were dealt with exclusively just as SSSIs. What we discovered is that the people who dealt with SSSIs in the past never had a dialogue or a conversation with the people in other organisations that were dealing with, for example, catchment plans under the Water Framework Directive'* (WFD). This statement beggars belief as it is so completely wrong.

CCW had a post in place from 2001 which had responsibility for ensuring that river basin planning and catchment management plans took account of protected areas. This officer worked closely with colleagues from other organisations, most notably sitting on the UK Technical Advice Groups

(TAGs) with the Environment Agency and others. Two guidance papers, written by the UK TAGs and concerning Natura 2000 (N2K) sites and the WFD, were accepted and agreed between the agencies and implemented UK-wide (*Ref. 1 below*).

Another WFD UK TAG guidance paper (*Ref.2*) specifically outlined how to integrate SSSI requirements into catchment planning in WFD and was published in 2003. I also formally advised the Welsh Government in 2009 that infraction proceedings would be possible if river basin management plans did not take account of N2K sites; the Welsh Government then issued guidance to Environment Agency Wales on this issue. Additionally, the officer in this CCW post – who, incidentally, transferred to NRW – also published an overview of the legal and technical relationship between the WFD and the Habitats and Birds Directives in 2010 (*Ref.3*).

Later in his evidence, Mr. Matthews refers to the Chartered Institute of Water and Environmental Management (CIWEM); this professional body has, both in its peer-reviewed journal and its newsletter, regularly reported on the collaborative work undertaken by the agencies on the WFD.

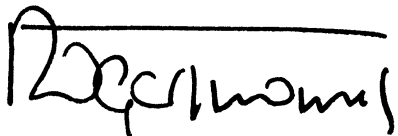
My second concern relates to Mr. Matthews statement that *'in the past, the attitude was, 'We're against development because it's bad for the environment'*. Whilst Mr. Matthews described this as an *'over simplification'*, it actually represents another unsubstantiated slur on the two predecessor organisations that were statutory consultees under the Town and Country planning legislation. The evidence from CCW, as reported regularly to scrutinizing committees in the National Assembly, was that about 5,000 planning applications were received each year under the consultation process (prior screening meant that only those applications with the potential to have adverse effects on the natural environment were referred to the organization).

Of this approximate annual workload of 5000 applications, about 10% initially received holding objections because of insufficient information for CCW to be able to respond fully to the planning authority. Most of these holding objections were removed upon receipt of further information and/or negotiation. CCW had a clear strategy to open discussions with developers at the earliest possible stage of any development proposal. This enabled CCW to help design away adverse environmental impacts and to achieve more sustainable development proposals. Most of our significant difficulties occurred when our first involvement came at too late a stage in the development process. Formal objections were made to about 1% (ie. around 50) applications each year – so to describe CCW as anti-development is, I suggest, not borne out by the evidence.

Thank you for the opportunity to provide the evidence that puts the record

straight on these matters.

Yn gywir,

A handwritten signature in black ink, appearing to read 'Roger Thomas', written over a horizontal line.

Roger Thomas

1. Water Framework Directive UK Technical Advisory Group: .  
<http://www.wfduk.org/resources/category/characterisation-water-environment-3/tags/protected-areas-53>
2. Guidance on the identification of small surface water bodies, UK Technical Advisory Group on the Water Framework Directive (2003):  
[http://www.wfduk.org/sites/default/files/Media/Characterisation%20of%20the%20water%20environment/Identification%20of%20small%20surface%20water%20bodies\\_Draft\\_030703.pdf](http://www.wfduk.org/sites/default/files/Media/Characterisation%20of%20the%20water%20environment/Identification%20of%20small%20surface%20water%20bodies_Draft_030703.pdf)
3. "Conservation monitoring in Freshwater Habitats", 2010, published by Springer Science (Chapter 3)