



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

**Awdurdod
Parc Cenedlaethol
Arfordir Penfro**
Parc Llanion, Doc Penfro
Sir Benfro SA72 6DY

**Pembrokeshire Coast
National Park
Authority**
Llanion Park, Pembroke Dock
Pembrokeshire SA72 6DY
Ffôn/Tel: 0845 345 7275
Ffacs/Fax: 01646 689076
pcap@arfordirpenfro.org.uk
pcnp@pembrokeshirecoast.org.uk
www.arfordirpenfro.org.uk
www.pembrokeshirecoast.org.uk

*Croesawn ahebiaeth
yn Gymraeg a Saesneg
We welcome correspondence
in English and Welsh*

By email, 12th June 2015
SeneddEnv@Assembly.Wales

Dear Sir/Madam

CONSULTATION ON THE ENVIRONMENT (WALES) BILL

Thank you for the opportunity to comment on the Environment (Wales) Bill.

Pembrokeshire Coast, Brecon Beacons and Snowdonia National Park Authorities are pleased to submit a combined response as 'National Parks Wales', which I include below.

National Parks Wales would like to congratulate the Welsh Government for introducing this legislation.

Part 1: Natural Resources Management

1. National Parks Wales agrees with the definition of 'natural resources' (Part 1, section 2), and suggests that it may be useful to explicitly include the following resources, possibly in parentheses to existing categories on the list where this is appropriate: renewable and non-renewable energy sources; carbon sources and sinks; nutrient stocks and flows.

Further, while the appearance of landscape and seascape will to some extent emerge from the management of natural resources, we suggest that they are also natural resources and can be managed in their own right. For these reasons, and in order to deliver the European Landscape Convention, landscapes and seascapes should also be included on the list. This would accord with the purpose of the European Landscape Convention to protect, manage and plan all landscapes, outstanding and ordinary, at local, regional, national and international levels.

National Parks Wales welcomes the use of the Convention on Biological Diversity principles for the ecosystem approach. These suggestions will help ensure that vision and effort extends beyond the more utilitarian aspects of natural resource management.

2. National Parks Wales recommends that the definition of 'sustainable management of



natural resources' (Part 1, section 3) could usefully define 'ecosystem' within the Bill. We agree with using the definition given in Para 18 of the Explanatory Memorandum, from Article 2 of the Convention on Biological Diversity: "a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit", as.

3. We find Part 1, section 3 (2) rather unclear and perhaps misleading: it seems to imply that resilience is an independent, adjustable quality of ecosystems, whereas we suggest it is largely intrinsic. We suggest therefore that rephrasing the objective is necessary, reflecting a purpose of reducing human pressures on ecosystems in order that their intrinsic values and functions are not compromised.
4. We suggest that Part 1, 4 (b.) should be amended to read "...appropriate spatial **and temporal** scale for action."
5. While agreeing the importance of evidence-based management, National Parks Wales suggests that the 'Principles of sustainable management of natural resources', (Part 1, 4 (d.) and 4 (e.)), should also encapsulate the precautionary principle and the need to consider the (ir)reversibility of effects on ecosystems. The evidence base should include defining favourable conservation status for all habitats of principal importance in Wales.
6. National Parks Wales suggests that the numbered items under Part 1, section 4 (g.) could consider the dynamism and development or evolution of ecosystems (including change under climate change).
7. National Parks Wales generally welcomes the proposals for a National Natural Resource Policy. Significant human factors affecting biodiversity and ecosystem health relate to land management and use of marine resources, and the main gains are likely to be realised by ensuring these factors are the focus of the Policy. The impacts of Policy in ameliorating these factors could be included in the measures of success of sections 3 and 4 of the Bill. Alternatively, or in addition, these could be set out explicitly in the Nature Recovery Plan for Wales.
8. Part 1, sections 9 and 10. We suggest that policy and planning should take a natural resource-based approach and that 'areas' will naturally emerge from this, as artefacts of the pragmatic implementation of policy. For example, catchments and groundwater units are an obvious basis for water management decisions. Other resources are naturally fragmented (e.g. soil types, woodland), and we envisage that for these there could be Wales-wide, region-wide or cross-catchment policies – that is, a thematic approach.

This is not to say that areas could not also be used for implementation of thematic plans. For example, landscape character could be used to set area boundaries, in much the way that protected landscape plans currently operate. Subject to any data sensitivities, State of Natural Resources monitoring and survey data should ideally be capable of disaggregation and scaling to any area in order that interventions can be targeted to add the most value and in order to reduce monitoring costs.

Local Records Centres will be pivotal to collation, verifying and distributing data.

We suggest that the State of Natural Resources Report (SoNaRR) would be more appropriately framed as a wider State of Nature Report (SoNaR) to reflect the broader list of natural resources suggested in our comments, and to reflect the intention of the Convention on Biological Diversity. Establishing baseline and trend data, and resourcing these monitoring and surveillance programmes, is essential to management and evaluation of it. While we recognise that a broad range of

information is currently collected, it is not always complete or timely enough for fully-informed management decisions to be made, and review is desirable in order to better service statutory and other requirements.

9. We welcome references to national parks as places where ecological, economic, social and cultural matters bear directly on decision-making at the appropriate scale (para 41 of the Explanatory Memorandum).
10. Part 1, section 10(6) (a.) and (b.) provide for consideration of protected landscape plans, amongst other plans, in the context of natural resources plans, and National Parks Wales welcomes this. Part 1, section 12 provides for Welsh Ministers' power to direct public bodies to address matters within an Area Statement. National Parks and Areas of Outstanding Natural Beauty - while experienced in delivering natural resources management - have additional functions, notably conservation of the cultural heritage and the historic environment, promotion of enjoyment and understanding of the special qualities, which must be taken into account in any plans for or affecting the protected landscape. Moreover, National Parks Wales suggests that these additional functions would not automatically be served by a natural resources plan. However, the role of natural resources planning could be extended in order to include these functions, using protected landscape plans as a model, thereby achieving integrated management of Wales' landscapes. These plans could also incorporate Well-being and Future Generations Act commitments. In short, we suggest that National Park and AONB Management Plans could assume the role of Area Statements for their areas, automatically covering 25% of Wales' land area. We ask the Committee to recommend an amendment that will enable Welsh Government or Natural Resources Wales to delegate responsibility for preparing an Area Statement to another body. This would enable a National Park Authority to take the lead in preparing an Area Statement for the National Park and if appropriate the surrounding area.
11. We would welcome clarification on how Area Statements would relate to the national plans such as the Nature Recovery Plan, and processes such as the designation of protected sites. National Parks Wales would be pleased to discuss planning approaches and content further. National Parks Wales' response to Stage 1 of the Review of Designated Landscapes in Wales suggested that the Environment Act 1995 section 62ii duty on public bodies to have regard to National Park purposes needs revision, to the effect that "In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority must support the National Park Management Plan as adopted under section 66(2) of the 1995 Environment Act and report annually on how this has been achieved." We suggest that a similar requirement will be needed in relation to support of management in support of Area Statements and improving the state of nature.
12. Part 1, section 6. National Parks Wales warmly welcomes the proposal to strengthen the biodiversity duty, and promotion of ecosystem resilience, on public authorities and statutory undertakers in Wales and the requirement to demonstrate compliance with the Convention on Biological Diversity. We suggest that the definition of "biodiversity" given in paragraph 56 of the Explanatory Memorandum is included in the Bill. National Parks Wales welcomes the primacy given in the Explanatory Memorandum to the inter-relationship between biodiversity and ecosystems and the understanding shown on how this relationship governs all other matters.

We suggest that caution is needed with some terms: ecological "diversity" and "richness" have specific, and distinct, meanings.

13. Part 1, section 16. National Parks Wales supports the proposals for NRW to have wider powers to enter into land management agreements and have broader

experimental powers beyond those it currently possesses. We suggest that NRW will require adequate financial and staffing resources to grow - and, importantly, maintain - a portfolio of management agreements into the long term, and to pursue experimental approaches, including, where relevant, cross-border initiatives. Experience in Wales' national parks shows that there is considerable scope to complement and add value locally to the (necessarily strategic) national agri-environment schemes, and also to encourage land managers to enter into national schemes by providing local 'stepping-stone' approaches. Examples include the Black Mountains Upland Restoration Project in the Brecon Beacons, the Conserving the Park project in Pembrokeshire Coast, and catchment sensitive farming in Llyn Tegid catchments in Snowdonia.

NRW's capacity to develop Area Statements and implement them with partners will require resourcing. These demonstrate what can be achieved through collaboration and partnerships: new powers are not always required. Expert collaboration with local and regional partnerships was a highly-valued function of the NRW legacy bodies, and continuity in this is essential if Area Statements are to add value in terms of experimentation, accessing structural funding, partnerships and so on.

Part 2: Climate Change

14. Part 2, section 29: National Parks Wales welcomes the proposals for the 2050 target and fulfilment of the Climate Change Act 2008. We suggest that all Welsh emissions should be included; this will give Welsh Government leverage to seek emissions reductions out-with devolved competence. We assume that emissions within devolved competence will include those generated non-domestically, i.e. outside of Wales.
15. National Parks Wales agrees with the provisions set out in Part 2, section 42(2). A strategic inventory of carbon sources, sinks and fluxes in Wales would assist in establishing where the main gains are to be had, and where additional safeguards need to be in place.
16. National Parks Wales is unable to compare the carbon budgeting vs 3% annual emissions reduction target approaches. However we suggest that the 3% reduction approach has the benefit of providing clarity and consistency for planning into the future and makes a clear and projectable statement of intent.
17. Part 2, section 42. National Parks Wales agrees with the proposals for addressing a failure to meet targets.
18. Part 2, section 44. National Parks Wales welcomes the proposals for an independent advisory body on climate change. We suggest it has a number of tasks, including setting emissions reduction targets and limits of acceptable change for all relevant sectors, advising Welsh Government and NRW on emissions trading opportunities and assisting NRW to develop emissions trading projects, for example land-based Payments for Ecosystem Services projects.

Part 4: Collection and Disposal of Waste

19. Part 4: National Parks Wales agrees that non-domestic premises should be required to put their waste out for collection in line with any separation requirements set out by the Welsh Government and that Welsh Government needs wider powers to ban some recyclable waste from incineration.
20. Part 4. National Parks Wales is generally supportive of proposals to increase recycling and waste energy recovery rates and to reduce landfill. However, account should be taken of the waste hierarchy with greater focus on waste reduction.

Parts 5 & 6: Marine Licensing and Fisheries for Shellfish

21. Part 5. National Parks Wales welcomes the proposals to amend Part 1 of the Sea Fisheries (Shellfish) Act 1967 and considers them to be a valuable inclusion in the Bill.
22. Part 6. National Parks Wales generally supports the principle of cost recovery with regard to marine licensing.

Part 7: Flood and Coastal Erosion and Land Drainage

23. Part 7, section 82. The proposals with regard to a Flood and Coastal Erosion Committee for Wales appear to rationalise and broaden the current arrangements.
24. Part 7, section 85. National Parks Wales is supportive of the proposal of powers of entry for Welsh Government agents where access has been refused as a means of determining compliance with Agricultural Land Tribunal orders. National Parks Wales views this proposal as a means of better ensuring protection of soil resources, water quality and affected property.

Overarching Question

25. National Parks Wales broadly welcomes the suite of legislation constituted by the Environment (Wales) Bill, the Planning (Wales) Bill and the Well-being of Future Generations Act 2015.
26. National Parks Wales considers the links between them to be clear. However we suggest that there are additional links to be made between Area Statements/State of Natural Resources reporting and Planning Policy Wales/local plans (including local development plans). This should enable integration and streamlining.

Thank you again for the opportunity to comment. If you require any clarifications please do not hesitate to contact me.

Yours faithfully,



Tegryn Jones
Chief Executive, Pembrokeshire Coast National Park Authority

On behalf of **National Parks Wales**: Brecon Beacons National Park Authority,
Pembrokeshire Coast National Park Authority and Snowdonia National Park Authority.