



# Cyngor Cefn Gwlad Cymru Countryside Council for Wales

## THE NATIONAL ASSEMBLY FOR WALES ENVIRONMENT AND SUSTAINABILITY COMMITTEE

### INQUIRY INTO THE BUSINESS CASE FOR THE SINGLE ENVIRONMENTAL BODY FOR WALES

#### BACKGROUND

“A Living Wales” - the Welsh Government’s Natural Environment Framework was announced in September 2010 with a consultation focussed on a new approach to the way we manage our land, water and seas. This consultation included a review of environmental delivery options – refreshing institutional arrangements in order to take a more integrated and sustainable approach to environmental management. The review was initially informed by a failure in Wales, as across Europe, to meet biodiversity targets, but was expanded to reflect a number of important drivers for change:

- A new integrated approach to managing the natural environment, the ecosystem approach, to help Welsh Government and partners to make the best use of Wales’ resources and to ensure that Wales’ natural assets are maintained and enhanced. Fundamental to this is the understanding that we will need to live within environmental limits.
- The need for a framework to help Wales develop future resilience in the face of the challenge presented by climate change, pressure on water supplies, biodiversity loss and food and energy security.
- A growing policy divergence and differing approaches to the organisation and funding of environmental public bodies within the UK.
- Budgetary constraints resulting in the need to consider the most sustainable and long term arrangements to secure continued and better delivery of environmental outcomes, coupled with the efficiencies that could be achieved through a single body rather than three bodies.



***Gofalu am natur Cymru - ar y tir ac yn y môr • Caring for our natural heritage - on land and in the sea***

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## **CCW'S POSITION**

The environment and natural resources of Wales are a strategic national resource. Our nature, land, water and air, together with the biodiversity that supports and depends upon them, are our life support system - the basis on which everything else is possible.

Since 1992 CCW has worked to deliver environmental priorities and has been successful both in helping to conserve and enhance the environment and in demonstrating the link to economic and social well-being.

However we recognise that the changing economic, social, environmental and constitutional context provides a compelling case to move towards a more integrated approach to environmental governance, for improved delivery of environmental outcomes fit for the needs of Wales. This more integrated approach will reflect the complexity of environmental systems and their interactions, the value of our natural resources to social and economic development and the pressures posed by natural limits and climate change. CCW has therefore welcomed the review of environmental governance in Wales, both the Natural Environment Framework and the review of delivery options, as they provide a strategic opportunity to transform the way we plan, manage and value our terrestrial, freshwater and marine environment in urban and rural Wales now, and more importantly, for the future.

Given the strategic importance of our natural resources in Wales the new approach will not only help secure the conservation, enhancement and effective use and management of the environment, but also our future economic renewal. It also enables Wales to be well positioned to take forward the implementation of the EU Biodiversity Strategy to 2020 and the Roadmap to a Resource Efficient Europe, a key element of the Europe 2020 strategy leading towards a more sustainable and competitive economy.

## **TERMS OF REFERENCE**

CCW has been fully engaged with the process of developing the Natural Environment Framework and the Single Environment Body Business Case.

CCW therefore welcomes the opportunity to contribute to the Environment and Sustainability Committee's Inquiry. We do not propose to comment in detail on the costs and benefits associated with the merger of the existing statutory environmental bodies, nor on whether the Business Case has taken sufficient account of the potential risks associated with the creation of a Single Environment Body. CCW staff were fully engaged with the process of developing and submitting the completed Business Case and we believe the Business Case to be robust and in line with Treasury guidelines. However, given the complexity of the change management process and despite the Business Case identifying solutions to risks identified, it is inevitable that certain issues will require careful management including:

- ICT
- The development and drafting of legislation necessary to implement the Public Bodies Act, 2011 and the range of relevant Bills in the Government's legislative programme; Environment, Sustainable Development, Planning and Heritage.
- Development of decision-making processes that ensure accountability and transparency, particularly in relation to potential conflicts of interest between advisory and regulatory roles.

- Cross-border liaison, disentangling from Forestry Commission GB and EA England and the relationship with Westminster Government on non-devolved issues.
- Development and integration of the new body's Welsh Language Policy, building on CCW's scheme that is recognised as an exemplar by the Welsh Language Board. In a new body operating throughout Wales, it is essential to ensure that the use of the Welsh language is normalised from the outset in corporate planning and decision-making processes.
- Specifically, we welcome the recognition in the Business Case that CCW has an excellent breadth and depth of capability in the provision of Corporate Services. It will be important for the new body to build and develop around this capability to reduce the risk for SEB implementation.

In addition, the transition period leading up to, and following, the establishment of the Single Environment Body will need careful management to ensure standards of service to customers are maintained, staff supported and stakeholders kept informed of progress.

## **STAKEHOLDER ENGAGEMENT**

CCW cannot comment on whether the business case has taken sufficient account of the views of key stakeholders affected by the creation of a Single Environment Body. This is best addressed by the individual stakeholders themselves. CCW has, however, sought to ensure that the Natural Environment Framework and the Single Environment Body has been discussed during our regular liaison meetings with stakeholders such as FUW, NFU, CLA, WEL, National Parks Wales, WLGA and others.

## **SEB AND NEF OUTCOMES**

CCW supports the principles of the Natural Environment Framework. It sets out a fresh approach to the management and regulation of the environment in Wales. The central proposition is to move to an ecosystem approach to environmental regulation and management. An ecosystems approach focuses on the health of the environment as a whole rather than dealing with individual aspects separately and encompasses a fundamental understanding that the environment underpins our social and economic needs, health and well-being. It will mean weighing up and setting priorities for the many competing demands on our sea, land and natural resources optimising land, sea and resource use in order to secure a healthy, resilient and productive environment that delivers for society as a whole, supporting employment and nurturing well-being. Overall the new approach will simplify and join up our approach to protecting and managing our natural resources to:

- improve the resilience and diversity of our environment and its supporting biodiversity;
- provide simpler and more cost effective regulation;
- offer greater clarity and certainty for decision-makers.

Developing and embedding the new approach will take a number of years and will require legislation. Key elements will include:

- Improving our understanding of ecosystems and their services and how we value them to inform decision makers.
- National and local resource management planning to guide future management activities and priorities for food, waste, water, energy and flood defence.
- Integration, rationalisation and simplification of regulatory systems.
- Piloting ecosystem based resource management planning to explore how to bring together the range of existing plans and designations into more unified plans or processes.
- A Single Environment Body to focus on Welsh priorities.

Potential benefits to business and land managers from the new approach include:

- more effective, efficient, simpler and integrated regulatory processes;
- clearer information on environmental outcomes, opportunities and constraints to aid investment decisions;
- a more predictable and consistent framework for environmental decision-making, by reducing uncertainty in planning and other regulatory systems;
- spatially planned solutions based on environmental opportunities, carrying capacity and constraints;
- support for new markets in environmental services such as carbon and water management;
- ensuring costs of compliance are appropriate to the extent of environmental risk.

For communities the potential benefits include:

- positive investment in targeted local environmental improvements;
- a greater focus on local needs, opportunities and concerns;
- enhanced local input to decision-making;
- improved access to green space and associated health benefits.

For our environment, potential benefits include:

- more targeted investment in environmental improvements;
- positive action to address the fundamental drivers of environmental change;
- increased resilience to pressures from climate change and reduction of the effects of climate change;
- a strategic approach to promoting restoration and recovery of species and habitats;
- more decision-making based on the benefits we derive from our environment.

The Natural Environment Framework sets the context for the form and function of the Single Environment Body.

A Single Environment Body with one aim and a single set of priorities and objectives will provide a focus for natural resource planning and the proportionate use of regulatory powers, to enable the right development in the right place protecting the environment from inappropriate use and damage whilst facilitating necessary economic activity. A Single

Environment Body also provides scope for greater efficiency from joint management of existing separate activities such as procurement and equipment and to move resources towards delivering outcomes on the ground.

The SEB Business Case is aligned to take account of the outcomes set out in the NEF.

Implementing a Single Environment Body will also be critical with respect to helping inform, develop and implement the propositions set out in “Sustaining a Living Wales: a Green Paper on a new approach to natural resource management in Wales”, to be launched on 30 January 2012 .

Implementing the new approach will also require delivery across all Welsh Government Directorates and the public service in Wales. The new approach will fail if left solely to the SEB. Implementing the new approach will therefore have implications for change in policy, procedure and legislation not only in relation to the proposed Environment Bill but also the Sustainable Development, Planning and Heritage Bills. This is consistent with the fundamental principle of embedding sustainable development as a central organising principle of Welsh Government and devolved public bodies in Wales. It is also important that the new body be distributed around Wales close to communities, businesses and stakeholders.

## **COMMON PURPOSE/CULTURE**

The new body will inherit a range of functions from the existing bodies and must be effective in informing and implementing the new approach set out in the Green Paper and Welsh Government’s wider legislative programme. It is about more than bringing together existing organisations, it is about creating a new organisation to meet the needs of Wales. It is therefore essential that a new duty and common purpose is developed and outlined from inception of the shadow body facilitating a common culture from the start to ensure that the new body not only delivers benefits and outcomes now for the environment, economy and well-being of Wales but that it is also fit for the future challenges and opportunities facing Wales. In meeting these challenges and opportunities, the new body must ensure that it is public-facing – concerned with the needs of, and responsive to, stakeholders.

**Cyngor Cefn Gwlad Cymru**  
**Countryside Council for Wales**  
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