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Petitions Committee  
Welsh Parliament  
Cardiff Bay  
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Dear Janet

### **Petition P-05-941 Biodiversity Remit for Natural Resources Wales (Cyfoeth Naturiol Cymru)**

Thank you for your letter and enclosures of ***Petition P-05-941 Biodiversity Remit for Natural Resources Wales (Cyfoeth Naturiol Cymru)*** seeking a response to the points raised by the petitioner which calls on the Welsh Government to explicitly include 'Biodiversity' when setting their strategic remit to Natural Resources Wales (NRW) for 2020/2021.

Globally, the scale of climate change and the urgent need for action to address it was reinforced by the United Nations' Intergovernmental Panel on Climate Change. This gave rise to a growing climate emergency movement recognised by both the Welsh Government and UK Parliament. Coupled with this, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services in its 2019 report described the loss of biodiversity as a threat of equal size - a nature emergency.

The Welsh Government declared a 'Climate Emergency' in Wales in April 2019 with the intention of prompting 'a wave of action at home and internationally' the statement recognised the connection between the drivers of climate change and action to recover nature and the need to drive urgent action to both increase the resilience of our ecosystems to environmental change and reverse the decline in habitats and species.

NRW published our interim second State of Natural Resources Report (SoNaRR2) last December. It made clear that we face these two large interconnected global challenges: climate change and biodiversity loss.

### **NRW is already subject to a statutory duty to maintain and enhance biodiversity**

The Environment (Wales) Act established NRW's general purpose to pursue the sustainable management of natural resources (SMNR). The objective of SMNR is to maintain and enhance the resilience of ecosystems and the benefits (ecosystem services) they provide, and in doing so meeting the needs of present generation without compromising the ability of future generations to meet their needs.

NRWs purpose and focus supports the transformational change needed to halt and reverse the decline in biodiversity. Action on biodiversity is embedded in the sustainable management of natural resources delivery framework, ensuring that biodiversity is considered as an essential element to contribute to the resilience of ecosystems which in turn is inextricably linked to human wellbeing.

The Act recognised the essential contribution biodiversity makes to the sustainable management of natural resources and to our well-being by establishing the section 6 duty. Section 6 of the Environment (Wales) Act introduced a stronger biodiversity and resilience of ecosystems duty for public authorities in Wales, which includes Natural Resources Wales. A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

To fulfil this duty, action for biodiversity is embedded in the delivery of our general purpose, the sustainable management of natural resources. We have integrated our plan for compliance with the Section 6 duty into organisational plans such as the five-year Corporate Plan and our annual Business Plan.

In response to the specific points in the petition:

**1. Working towards an overall improvement in the status of Welsh wildlife and preventing or at least minimising the risk of any further extinctions as a consequence of human activities.**

Our priorities and commitments are set out in our Corporate Plan and annual Business Plan. This also sets out appropriate measures and targets for the key actions for NRW for 2020/21.

We have identified five strategic priorities in responding to the nature emergency:

**a. Roll-out nature-based solutions to drive forward the themes in the Area Statements**

*Our Area Statements establish the opportunities for place based, nature-based solutions contributing to the implementation of the Welsh Governments Natural Resources Policy in a local context. Collaborative working delivers better results at a local level building on evidence that communities are best placed to deliver the behaviour change needed to tackle the national challenges and priorities including biodiversity loss.*

**b. Support a move towards a circular economy**

*The policy agenda around building a circular economy provides an opportunity for everyone to look at how they could contribute to a more integrated approach in Wales. NRW can lead through our regulatory approaches and tools, and through our own procurement processes to support work to optimise the journey to a circular economy in Wales.*

**c. Lead by example on the land and assets we manage**

*NRW directly manages 7% of Wales' land area including woodlands, National Nature Reserves, water and flood defences and operates visitor centres, recreational facilities, offices and depots. Using these sites to demonstrate exemplar management is a key step to building our reputation and persuading others that the approach we provide the outcomes we all want to see for biodiversity.*

#### **d. Improve the condition and resilience of protected sites**

*Protected sites on land, inland waters and the sea are an essential mechanism for maintaining biodiversity and building ecosystem resilience. Around 12% of land 69% of the inshore marine area is protected in this way this includes SSSI and Natura 200 sites. Our goal is that protected sites function as core areas of a resilient ecological network in which habitats and species can thrive and expand.*

#### **e. Deliver targeted action for species**

*Many species threatened with imminent extinction, or showing significant decline have relatively specialist requirements. Species recovery requires a prioritised and coordinated approach with targeted interventions.*

### **2. Establishing sustainable, bigger and less fragmented areas for wildlife, this should initially focus on the consolidation and extensions to existing National Nature Reserves and other protected areas, followed by the establishment of new areas.**

Building resilient ecological networks is all about working at larger scales, promoting functional connections between natural places, ensuring they have high natural diversity, are in good condition and increasing their extent. These concepts are being developed and included within our emerging guidance for building ecosystem resilience and contributing to Welsh Government's Natural Resource Policy aims.

### **3. Prioritising the need to obtain favourable or recovering status for conservation features on all statutory nature conservation sites (SPAs, SACs, SSSIs and NNRs).**

We recognise that protected site features need to be in favourable or recovering condition to safeguard their biodiversity and contribute effectively to ecosystem resilience and wider delivery of SMNR. Alongside our Business Plan priorities for our protected sites improvement work, NRW is currently leading three EU LIFE programmes (Welsh Raised Bogs, Sands of LIFE & River Dee LIFE) as part of delivering landscape-scale improvements. We are also working with on the development of a number of other EU LIFE, NHLF and other restoration and improvement projects which will contribute to the condition of nature conservation sites in Wales.

We are working with Welsh Government to help deliver their Sustainable Management Scheme – *Supporting Natura 2000 Restoration* – launched in July 2020. This will be an important mechanism for improving the condition of some of Wales' most important sites for biodiversity. We are also using additional capital money from Welsh Government in 2020/21 to invest in marine, terrestrial and freshwater projects delivered by NRW and partners to improve the condition of nature conservation features in Wales. Understanding the condition of protected sites is key to prioritising action effectively so NRW is also currently running a baseline evaluation exercise to produce indicative condition assessments for SAC, SPA and SSSI features.

### **4. Developing and improving an effective network of Marine Protected Areas which are sufficient to ensure the adequate protection of marine life and sustainable fisheries around Wales.**

As part of our support for the Marine Protected Areas (MPAs) network we have a Corporate Plan commitment to *'Improve the resilience of marine ecosystems as part of the Marine Protected Area (MPA) network and activities under the MPA Condition Improvement Project and the Assessing*

*Welsh Fisheries project*. We see developing an ecologically coherent and well-managed MPA network as key to the health, productivity and biodiversity of Wales' marine area and for the sustainable management of marine natural resources. Welsh Government has overall responsibility for developing the MPA network in Wales and is currently working on the *MPA Network Completion Project* to identify and fill gaps in the network. We are one of several MPA management authorities also actively involved in supporting Welsh Government with developing the MPA Network Management Framework and Action Plan. As part of supporting Welsh Government's MPA work, we provide advice to developers and others about steps to sustainably manage the impacts of activities in these important marine sites.

## **5. Ensure that more people are actively engaged with biodiversity issues, and aware of the significance of biodiversity to their health and wellbeing.**

Our wellbeing and that of future generations depends completely on the natural environment and the biodiversity it supports. Through Area Statements and Public Service Boards NRW is working to develop and contribute to joint actions that maximise the multiple benefits that natural resources provide.

Natural Resources Wales also supports, or is a member of, a number of education and learning networks, using them to communicate with stakeholders and partners and influence the way SMNR education is taught and learnt in Wales e.g. we are currently working with Senedd Cymru to ensure biodiversity is incorporated within the new Curriculum for Wales and we have developed a range of educational resources and activities which are available on our website.

We also grant fund many projects that deliver for the environment and people and increase action, knowledge and awareness of the importance of biodiversity for the environment and also people's mental and physical health, wellbeing and learning. Examples include: Coed Lleol, Tir Coed, Wales Outdoor Learning, Acorn Antics, Natural Progression Steps campaign, Healthy Weight, Healthy Wales 2-year delivery plan and funding to the John Muir Trust who work directly with people to enhance health and wellbeing through nature and learning and help establish pro-environmental behaviours.

NRW also manages the Welsh Government Woodland Estate which provides opportunities for recreation, enriches our culture and heritage, presents opportunities for tranquil reflection and a connection with nature.

NRW also supports the Wales Biodiversity Partnership Hosting the secretariat which is a proven key player in promoting and raising awareness about biodiversity and linking individuals and bodies working with biodiversity throughout Wales.

### **INCC's letter to the petitions committee dated 15<sup>th</sup> of June 2020**

As requested, we have also provided comments on the INCC's letter to the petitions committee dated 15<sup>th</sup> of June 2020.

### ***"INCC Comments following the Ministers response (LG/00673/20) to the petition (P-05-941) - Biodiversity Remit for Natural Resources Wales (NRW)."***

We note that the letter states that NRW does not have the resources, structure, and organisational ethos to counter the nature emergency. The letter also says that one of the failings of NRW is their silence regarding the planning process in Wales.

## **Organisational structure, resources and organisational ethos**

NRW has a wide range of duties and powers that relate to biodiversity; a variety of mechanisms and ways-of-working. We have statutory functions whose primary purpose is the conservation of habitats, species and geodiversity, such as our duties and powers relating to the designation and management of protected sites and the statutory protection of rare and threatened species. We are the statutory nature conservation body for Wales and an evidence-based expert independent advisor to government and others. Our wide remit includes being a regulator, advisor, policy-maker, land manager, educator, facilitator and grant provider.

The first years of NRW after its creation in 2013 were focussed on the work to establish its own stand-alone capability, through restructuring, setting up new systems and ways of working, and removing the dependency on the legacy organisations. Since this work has been completed, NRW have been focussed on developing an organisational structure so that we can meet our future ambitions, deliver our new purpose and operate effectively in the new legislative framework in Wales and critically deliver against key priorities including the Climate and Nature Emergencies. In 2019 NRW underwent transformational change through its Organisational Design Process. This focussed on different ways of working within NRW with emphasis on integrated place-based delivery, working even more closely with partners and communities to ensure we can fulfil our purpose and lead the way in Wales to a more sustainable management of natural resources.

Our intention is that through the development of a participatory spatial planning approach for Area Statements, we identify and cost where nature-based solutions can best be located to deliver multiple benefits, rolling out this approach extensively in NRW. The joined-up spatial plans produced will simultaneously maintain and enhance Nature Recovery Networks plus marine equivalents (and the protected sites at their core), deliver climate emergency actions and a variety of other key ecosystem services using a blend of public and private investment.

Key here is that our staff capacity needs to be considered alongside changes in approach, new ways of working, improved processes, better evidence, the potential for closer alignment with partner bodies, the 'whole organisation' approach taken by NRW and the extent to which NRW is a 'doer' itself and enabler/enthusier of others. This collective resource and approach in NRW helps us deliver biodiversity work on our own estate (principally the WGWE and National Nature Reserves), with owner occupiers and users on protected sites and beyond this to work with partners. Arguably there would never be enough staff and expertise in NRW to reverse the decline in biodiversity in Wales if NRW was solely responsible for delivering the changes needed. Everyone's wellbeing in Wales relies on biodiversity and resilient ecosystems and everyone has a responsibility to make the transformational changes needed to halt and reverse the decline. NRW has a key role but is not solely responsible.

## **NRWs involvement in the development planning system**

The land use planning system is a strategic delivery mechanism for the delivery of NRW's corporate priorities, including the response to climate and environment emergency in Wales.

We are a statutory or specialist consultee within the planning system, both during the development plan making process, and during the planning application process. Our main role is to provide evidence-based advice on how planning policies and development proposals should protect and enhance the environment and allow for our natural resources to be sustainably managed.

We work strategically to proactively provide strategic advice to inform policy frameworks nationally, regionally and locally to provide a framework to help ensure the right development in the right place.


Specifically, local development plans provide the framework for decisions on individual planning applications and we work to provide evidence and advice to ensure our corporate priorities are integrated within the policy framework including, for example, the discharge of the respective section 6 and section 7 duties of Local Planning Authorities and Natural Resources Wales.

Our roles within the planning system are set out in various legislative provisions. Our advice is informed by the information submitted by the applicant, our expertise and evidence including Area Statements, the Welsh Government's aspirations and policies for the environment as set out in national planning policy together with the policy framework set out in the relevant Local Development Plan.

We receive and reply to around 7,000 planning consultations annually and, when consulted, we are required to provide a substantive response within statutory or otherwise agreed deadlines. Our [Consultation Topic List](#), sets out when we would currently ask to be consulted as part of a planning application consultation.

I trust the above information is helpful in your consideration of the questions raised with the Petition's Committee.

Best wishes



Clare Pillman  
**Prif Weithredwr, Cyfoeth Naturiol Cymru**  
**Chief Executive, Natural Resources Wales**