

Cynulliad Cenedlaethol Cymru Pwyllgor Amgylchedd a Chynaliadwyedd	National Assembly for Wales Environment and Sustainability Committee
Egwyddorion cyffredinol Bil yr Amgylchedd (Cymru)	General principals of the Environment (Wales) Bill
Ymateb gan Alliance for National Parks Cymru	Response from Alliance for National Parks Cymru
EB 13	EB 13





SUBMISSION TO THE

ENVIRONMENT & SUSTAINABILITY COMMITTEE ON THE ENVIRONMENT [WALES] BILL

Introduction

1. The Alliance for National Parks Cymru was set up in 2014. The core membership comprises the voluntary Societies of the three Welsh National Parks, the Campaign for the Protection of Rural Wales and the National Association for Areas of Outstanding Natural Beauty and the Gower Society. Its purpose is to coordinate the voluntary sector's response to the emerging policy and legislative agenda of the Welsh government as it affects designated landscapes. Representatives of these bodies have been responsible for drafting this submission. The submission also comes with the support of the Campaign for National Parks.
2. The Alliance welcomes the opportunity to make a submission to the Committee and so contribute to its scrutiny of the Environment Bill.
3. Our interest lies in securing a sustainable long-term future for those iconic landscapes of Wales that are designated as National Parks and Areas of Outstanding Natural Beauty – a future which ensures the delivery of a wide range of social, economic and environmental benefits that enhances the “Well-being” of the people of Wales, whilst conserving and enhancing the special qualities from which those benefits are derived and for which they are world renowned. We also have an interest in historic landscapes, many of which are in National Parks and AONBs.
4. Our submission is confined to Part 1 of the Bill. From the outset we welcome and support the basic aim of the Bill i.e. the creation of a process by which the sustainable management of natural resources is achieved. Our assessment of the Bill has been led by one fundamental question – **does the Bill support and enhance the role that designated landscapes can play in securing the sustainable and integrated management of natural resources?**
5. **In brief we do not believe that it does, because the essential framework that they provide for the delivery of an integrated approach to ecosystem management is not recognised.** Accordingly, in our submission we aim to show how the framework the Bill provides for natural resource management could be improved, particularly in the context of the role that designated landscapes could play in the delivery of natural resource management - a role that would cover

25% of Wales. We recognise that the approach set out in the Bill is to apply to the whole of Wales and, in that context we commend the approach advocated in the submission by CPRW.

The framework provided by designated landscapes

- Diagram 1 illustrates the constituents of landscape, with natural resources being just one component, and the way it represents “People and Place” combining to create our “Nations Identity” and locally each community’s and individuals “Sense of Place”. These are both concepts, which we understand the Welsh Government wishes to promote both through the Well-being Act and the Environment Bill, which are at the heart of the European Landscape Convention. We believe the Convention should be an important part of the Bill.

Diagram1.



- The stewardship of landscape at a variety of scales provides the framework for managing the interaction between human activities and natural resources – the very essence of the ecosystem approach advocated in the Bill. Wales’ designated landscapes [National Parks and AONBs], through their statutory management plans, provide the framework for the delivery of a wide range of services and benefits for individuals and communities locally, nationally and internationally. As a consequence of their unique sense of place, their natural beauty – scenery, tranquillity, biodiversity and cultural heritage – and the opportunities they present for leisure activities, enjoyment, education and personal development, they provide a high quality environment that:

- is desirable for people to live and work in
- is good for the health and well-being of individuals and the whole community
- underpins significant economic activity, most noticeably as a destination for tourists but also through the value they can provide in producing premium products associated with high profile localities
- enhances the reputation of Wales as a whole as a tourism destination

- provides a network of ecosystem service hotspots i.e. a concentration of the many benefits associated with the many facets of landscape. Their high quality, diverse and often complex landscapes are models of enduring ecological resilience.
8. Accordingly, we believe that they provide the necessary context, across 25% of Wales, to make a significant contribution to the delivery of the full suite of Goals set out in the Well-being of Future Generations Act, including the sustainable management of natural resources. It is within this context that designated landscapes can:-
- ensure their natural resources are used in new and creative ways to provide prospects to increase economic prosperity and provide appropriate new employment opportunities in those area
 - continue to offer those forms of exceptional opportunities for outdoor recreation and unobtrusive enjoyment of these special areas, which are less likely to be found elsewhere
 - fully respect the distinctive ecosystems values (tangible and intangible) associated with these areas when change occurs
 - guarantee that the resilience of all the resources in these areas are managed within those environmental tolerances that maintain their integrity but enable the well-being benefits they provide to be optimised
 - recognise that current and future generations must share the benefits of the goods and services these areas provide fully and equally.
9. Above all, however, in achieving these ‘Well-being Goals’, it will be essential to ensure that the integrity of the special qualities which make these areas nationally and internationally important are retained and where possible enhanced.

The Review of the Purposes and Governance of Wales’ Designated Landscapes

10. It is important to note that at the same time as this scrutiny of the Bill by the Committee, the Panel undertaking the review of the purposes and governance of Wales’ designated landscapes for the Government is taking evidence and will be reporting by the end of July. It has already reached some conclusions with regard the purposes of designated landscapes, which has implications for the achievement of sustainable resource management. Given the geographical extent of designated landscapes and the role they already have in securing an integrated approach to their management it would be unfortunate if the opportunity to enhance the role they can play were not taken during the passage of the Bill.
11. In its Stage 1 Report on the Purposes of designated landscapes the Review Panel has recommended that they should be widened to include inter alia *“the promotion of sustainable forms of natural resource management ...”*. If the Government accepts the recommendation [we hope they do], the designated landscapes of Wales would be propelled to the centre of natural resource management stage over 25% of the country, thus formalising what they have already been doing in practice. The stage 2 report from the Review Panel [due at the end of July] could well address further matters of particular relevance to natural resource management. Such matters might include the need for a clear national policy framework for designated landscapes, the extension of the scope of their management plans to include natural resources and the strengthening of the duties of public bodies towards their purposes. Our suggestions for improving the Bill [see below] are derived from the submission to the Review Panel.

Suggested improvements to the Bill

12. So far as the Environment Bill is concerned we believe that there are a number of improvements that could be made to reflect the general context within which natural resource management is undertaken and more specifically to reflect the need for an explicit link that needs to be forged with Wales' designated landscapes, which are well placed to make a significant contribution to the delivery of natural resource management across 25% of Wales.

Definitions

13. As the terms 'ecosystem', 'ecosystem benefits' [or ecosystem services as they are usually called] and 'resilience' are used extensively in the Bill it would seem prudent to give definitions of what exactly is meant by them. Furthermore it should be made clear that the natural resources referred to in the Bill are found both on land and within territorial waters.

Clause 3 [2] - The objective of sustainable management of natural resources

14. We support the objective as it provides recognition of the wide variety of benefits [or services] that they provide. However, it is not clear how the objective would be pursued in the context of the purposes of the designated landscapes of Wales. Given that these iconic areas cover 25% of Wales, we believe that the Bill should make it clear that the objective should be delivered in a way that respects the special qualities for which they have been designated.

Clause 4 - Principles of sustainable management of natural resources

15. We support the principles set out in this Clause, however, we consider that it could be improved in two ways:
- in 4[g] the reference to 'take account of the resilience of ecosystems' should be extended by the words 'and the benefits they provide' – this would give a clear link back to the objective set out Clause 3[2]
 - a similar qualification to the one proposed for Clause 3 [2] above should be included to the effect that in the context of designated landscapes the principles should operate in line with their statutory purposes and should respect the special qualities for which they have been designated.

Clause 5 – The General Purpose of NRW

16. We note that the change proposed in the General Purposes of the Natural Resource Body or Wales in Clause 5 of the Bill effectively means that the clear reference to 'environment' in its current Purpose is deleted. Environment in that context is taken to mean *"includes, without limitation, living organisms and ecosystems"*.
17. The Explanatory Memorandum accompanying the Bill does not specifically highlight nor explain why the term 'environment' has been removed from these Purposes. However, it does indicate that the change is needed to bring NRW's General Purposes into line with the overall process of natural resource management as set out in the Bill.

18. We can only presume, but are not confident, that environment is now supposed to be dealt with under the term 'ecosystem'. We repeat however our concern that because the term "ecosystem" is not clearly defined it is impossible to know whether our supposition is correct or not. **We therefore urge the Committee to request the Minister to indicate whether our assumption is correct and if there are any unintended consequences if the word 'environment' is removed from NRW's purposes.**
19. If there are, we register our strongest concern that effectively the Body currently responsible for the custodianship of the Welsh environment in its broadest sense will no longer be statutorily required to do so, if the change in their Purposes is sanctioned as currently proposed. We trust the Committee will clarify the position on this matter when scrutinising the Minister and in the light of the information they receive, recommend if necessary, that any change which seeks to remove the word environment from NRW purposes should be resisted as it represents an ill-advised and retrograde step.
20. We are also concerned that the crucial link between natural resource management and designated landscapes is not recognised in the 'General Purpose'. We consider that NRW's role in forging this essential link should be formally recognised in the Bill to the effect that they have **a clear and unequivocal duty to further the development and operation of an effective framework for the integrated planning and management, including natural resources, in designated landscapes.**

Clause 6 – Biodiversity and resilience of ecosystems duty

21. Whilst we support the thrust of the Clause we feel that there is room for confusion. It could be construed that the 'resilience of ecosystems' is only concerned with biodiversity. We would argue [and many others too] that ecosystem resilience is dependent on more than just the maintenance and enhancement of biodiversity and we welcome the recognition afforded to wider ecosystem benefits in Clause 3(2). For consistency we would like to see this recognition carried through to Clause 6(2) *'a public authority must take account of the resilience of ecosystems and the benefits they provide, in particular the following aspects...'*

A companion Clause to Clause 6

22. Clause 6 gives effect to the requirements of the Convention on Biological Diversity, to which the UK is a signatory. We support the intent of the Clause. However, there is also a convention – the European Landscape Convention - that enshrines the concept of landscapes and their role as the interface between man and nature. **We believe that specific reference in the Bill to the Convention would assist greatly in providing the framework for the management of natural resources in manner that is fully integrated with human activity. At the same time it would be necessary to mandate NRW to promote the delivery of the Convention within Wales and to further its principles when promoting sustainable resource management.**

Clause 8 – State of Natural Resources Report

23. We support the proposed duty for NRW to prepare such a report. However, given the central role we consider that designated landscapes should have in delivering natural resource management and the benefits that flow from such management, **it should be made clear in the Bill that the Report should include a section on the ‘State of Designated Landscapes’.**

Clause 9 – National Natural Resource Policy

24. We agree that such a Policy is needed. We would expect the role and status of all areas designated for the national importance of their landscape or seascape [or combination of both] should be recognised as critical components of Wales’ natural resource infrastructure. Thus, **we consider it essential that Bill should include amongst the matters that Ministers should address in Clause 9 (2):**

- **the role of designated landscapes, especially their management plans, in delivering natural resource management within the framework provided by the full suite of their statutory purposes**
- **in the context of designated landscapes on the coast how the integrated management of land and sea would be achieved.**

We would also expect that the outcomes of the Review of the Purposes and Governance of Designated landscapes would be fully reflected in the Policy.

Clause 10 – Area Natural Resource Statements

25. Whilst we support the principle of having such statements, we are concerned that there is no indication in the Bill as to the status of the statements or how they relate to the management plans that are required by statute for National Parks and AONBs. We consider it essential for the Bill to specify that the management plans for all designated landscapes should be the means for achieving sustainable natural resource management in their area and in doing so would respect the integrity of the special qualities for which they have been designated. This will be even more important if the ‘Purposes’ of designated landscapes are widened as proposed by the Review Panel. Further, in the context of coastal designated landscapes, there is no indication of how statements for land and adjacent seas are integrated. We would therefore suggest an addition to Clause 10 subsection (6) along the following lines: ***‘with respect to an area designated as a landscape of national importance, a single management plan should be prepared and adopted as the area statement for that designated area; or a geographically extended area of its hinterland [including areas of sea], whichever is most appropriate’.***

Clause 16 Land Management Agreements & Clause 23 Experiments

26. Given the central role that designated landscapes will be playing in natural resource management it would seem sensible that the authorities responsible for their management should have the same powers that NRW will have under these Clauses.

For further information from the Alliance please contact Edward Holdaway. E mail: edward.holdaway@btinternet.com