

From: Communications [communications@wales.gsi.gov.uk]

Sent: 13 February 2012 13:15

To: SEB mailbox

Subject: SEB Consultation online form

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Your name: Matthew Hard

Organisation (if applicable): DLP Planning Ltd

Email / telephone number: matthew.hard@dlpconsultants.co.uk / 02920 646810

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?: We support the idea in principle, but we do not want to see a loss of specialist knowledge and skills. The changes need to be managed in a way that this does not happen.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?: No

Question 3: What are your views on this phased approach? How could we improve on it?: It seem reasonable.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?: We suggest a sixth aim: - Help create an environment in which sustainable development can be delivered.

Question 5: What are your views on the approach to the delivery framework?: N/A

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?: It should also include that the bodies are consultees on planning applications.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?: N/A

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

N/A

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Yes.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

The new body should be easy to liaise whilst developers and consultants are preparing planning applications or preparing evidence to underpin development plans. At present it can be difficult identifying a useful source for pre-application discussions, we hope the new arrangements will be better in this regard. However we fear that instead of direct advice from experts, there may be a general administrator/customer service contact who control access to advice. It is imperative that users of the body can have direct access to expert or specialist officers.

Question 11: What are your views on the aspects of the regulatory arrangements?:

N/A

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

N/A

From: Keith Jones [keith.jones@ice.org.uk]

Sent: 13 February 2012 22:38

To: SEB mailbox

Subject: Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources

Attachments: Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources.docx

I attach my responses and agree to the details being published

Regards

Keith

Keith Jones Eur Ing BSc DMS C Eng C Env FICE FCIHT FCMI

Chartered Civil Engineer

Peirannydd Sifil Siartredig

Chartered Environmentalist

Amgylcheddwr Siartredig

Director Wales

Cyfarwyddwr Cymru

Institution of Civil Engineers Wales Cymru

Sefydliad y Peirianwyr Sifil Cymru

Suite 2 Bay Chambers

Uned 2, Siambrau'r Bae

West Bute Street

Stryd Gorllewin Bute

Cardiff Bay

Bae Caerdydd

CF10 5BB

CF10 5BB

t/ff +44 (029) 2063 0561

f/ff +44 (029) 2063 0666

[Learning to Live With Flooding in Wales Conference 15th March 2012](#) [BOOK ONLINE](#)

[Cynhadledd -Dysgu Byw Gyda Llifogydd yng Nghymru 15ed Mawrth 2012](#) [ARCHEBW CH](#) [AR-LEN](#)

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[Celebrating civil engineering in Wales - ICE Wales Cymru Project Awards 2012. Read more.](#)

[Dathlu peirianeg sifil yng Nghymru - Gwobrau Cynllun ICE Cymru 2012. Darllenwch fwy.](#)

[CPD – is your Development Action Plan up to date? Read more.](#)

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Natural Resources Wales

Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources

Consultation

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?

Answer 1, I agree that a single Environment body has distinct advantages for Wales.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?

Answer 2, I have concerns that the single body would have the correct continuing focus on dealing with water resources with the same emphasis together with dealing with Flooding issues (flooding of all kinds).

Question 3: What are your views on this phased approach? How could we improve on it?

Answer 3 I support his approach provided that the modifications proposed are open to consultation.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

Answer 4, I agree with the proposals and offer no improvements.

Question 5: What are your views on the approach to the delivery framework?

Answer 5 The approach seems reasonable

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?

Answer 6 yes, reasonable summary

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?

Answer 7: I agree and offer no improvements

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?

Answer 8: I agree and offer no improvements

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?

Answer 9: I agree and offer no improvements

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?

Answer 10: I agree but suggest that Professional Bodies e.g. the Institution of Civil Engineers may have a role

Question 11: What are your views on these aspects of the regulatory arrangements?

Answer 11: I agree with the proposals

Responder: Keith Jones

Director, Institution of Civil Engineers Wales Cymru

Address

Suite 2, Bay Chambers, West Bute Street, Cardiff, CF10 5BB

Email address

keith.jones@ice.org.uk

Date 13th February 2012

Footnote:

- The Institution of Civil Engineers (ICE) was founded in 1818 to ensure professionalism in civil engineering.
- It represents 85,000 qualified and student civil engineers in the UK and across the globe and has over 4,200 members in Wales.
- ICE has long worked with the governments of the day to help it to achieve its objectives, and has worked with industry to ensure that construction and civil engineering remain major contributors to the UK economy and UK exports.
- For further information visit: ice.org.uk/wales

From: Communications [communications@wales.gsi.gov.uk]

Sent: 16 February 2012 12:50

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: /consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: Lindy McGuinness

Organisation (if applicable):

Email / telephone number: lindy.mcguinness@talk21.com

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?: Largely positive but with minor reservations.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?: I am a little concerned that without effort specialisms present in the current set-up may be lost - that the organisation might become too generalist

Question 3: What are your views on this phased approach? How could we improve on it?: Too quick. Thinking and planning should be taken at a steadier pace than advocated. More time to explore 'What might go wrong?' scenarios within the current organisations viewing the changes - so that pitfalls can be avoided.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?: The base plan has distinct merit

Question 5: What are your views on the approach to the delivery framework?: See qu 3

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?: OK

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

ok

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

ok

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

12 seems quite a small number to encompass such a range of skills and expertise, especially when at least one of the contributor boards has more. Also although it says, the board will have a range of experience, should this not be written in, to ensure no area gets sidelined.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

I think the loss of input from the consultative committees already in place would be a very bad move. To take work forward on all fronts, it needs to be carried out in a way that takes the stakeholders with it. If the board operates in a vacuum for the most part, I can only foresee problems.

Question 11: What are your views on the aspects of the regulatory arrangements?:

OK

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 17 February 2012 16:35

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

clive betts

Organisation (if applicable):

Email / telephone number:

cbetts@btconnect.com / 02920 867033

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

Following my letter in the Western Mail: Cpngrats to the minister. There is no long-term future for the Foestry Commiission: look what happened when the Govt in London wanted to sell it off; the English middle slasses revolted, and the sale was suspended (for the moment). The Environment Agency had no future after devolution. It was formed as EandWales on the ground that the river water does not follow boundaries. But Sec of State Edwards did not have to take into account political differences, which now most certainly do exist. If openness needs to be dealt with, that is a wory, but is a secondary consideration.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: cbetts [cbetts@btconnect.com]

Sent: 20 April 2012 19:13

To: SEB mailbox

Subject: Single body

Sirs and Mesdames

I have already commented by a letter in the Western Mail that I support a single body. The current flap about a "drought" is currently restricted to England, but only in some papers. With a single body we would be making our own policy, and no longer subsumed in "England and Wales".

For instance, today's letter in the Western Mail (page 21, "Rivers low - often") was a response to a story which seemed to be a response to an English, rather than a Welsh, problem.

Perhaps civil servants would remind their ministers how frequently in all the environmental areas the same has happened.

CLIVE BETTS

From : Clive Betts, 12 Pentwyn Isaf, Caerffili, Wales CF83 2NR . 02920 867033 /07974 160109.
email: cbetts@btconnect.com .

From: Communications [communications@wales.gsi.gov.uk]

Sent: 20 April 2012 19:20

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: clive betts

Organisation (if applicable):

Email / telephone number: cbetts@btconnect/com/02920 867033

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?: Create a single body. But listen to bodies which cover England so we have the advantages of their thoughts.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 20 April 2012 21:30

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: clive betts

Organisation (if applicable):

Email / telephone number: cbetts@btconnect.com/02920 867033

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

The Welsh government should beware of joint research, as it would normally be England-led. Enough money must be available for Wales to plough its own furrow.

I do not understand par.5.2.1 regarding the river Dee, perhaps because I am reading on-screen. As this issue effects a Welsh-based factory, and the Environment Agency seem not to object, this should be a purely Welsn issue, although the Dee runs (a bit) through England.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 20 February 2012 18:10

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

John Boland

Organisation (if applicable):

Email / telephone number:

01337 840028

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

I do not believe including the Forestry Commission in this new body is the right thing to do. The Forestry Commission is an excellent department who provides excellent value for taxpayers money. It is not an environmental body - this is a huge mistake and should be reconsidered

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Relook at the proposals to bring the Forestry Commission into this body - it does not make economic or environmental or social sense !

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

No - Forestry should be kept separate.

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Tree and Plant Health should be left to the Forestry Commission - they are the experts

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 07 March 2012 11:45

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Geoff Stone

Organisation (if applicable):

Email / telephone number:

gr.stone@sky.com

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

These proposals are a good idea, providing the new management is capable of carrying out the proposals.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Management needs to remind itself everyday: 'business needs clarity and consistency.'

Question 3: What are your views on this phased approach? How could we improve on it?:

Get on with it. Get out of first gear. The extent of the consultation has been admirable. Everyone has had their say. Get it implemented.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Aims and strategic outcomes. Fine in principal but needs a well run organisation to ensure a good service is provided.

Question 5: What are your views on the approach to the delivery framework?:

Far too slow. You state that you decided to bring the integration forward, yes but at a snail pace!

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Yes they are. After such an extensive consultation I would expect nothing less.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Be very careful you do not try to over control everything. If you do people will eventually give up and go around obstructive measures.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Tax payers should have a limited commitment to paying for research. Those business' involved have to fund the main body of research. Tax payers must be involved in checking the results.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Keep it simple and small. In an attempt to keep everybody happy, large numbers lead to stagnation, ending with no one satisfied.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

This is a cost cutting exercise. The amalgamation should lead to a more streamlined approach. The people (stakeholders) with the biggest problem are those who will lose their jobs. Those who remain should have a clearer career structure. The customers, - stakeholders - as usual will have to fit into the structure.

Question 11: What are your views on the aspects of the regulatory arrangements?:

Whatever Wales decides it has to fit within the EU legal framework. 'where this meets the needs of Wales'. This is -apple pie and cream to everyone. Difficult decisions need courage to state them clearly and determination to carry them out.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 07 March 2012 20:00

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: </consultations/forms/sebresponse/>

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: Joanna Slattery

Organisation (if applicable):

Email / telephone number: joslattery10@yahoo.co.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

These questions are aimed at people in the know. I have a general interest in the environment and I am concerned that only experts are likely to have an input. The title 'Single body' needs to be replaced as soon as possible with one that reflects the role of the organisation you create or people will not know where to go for information and advice.

From: Allan Cuthbert [highplains@fsmail.net]

Sent: 09 March 2012 22:28

To: SEB mailbox

Cc: secretary@ogmoreangling.com

Subject: Natural resources Wales - Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources

Attachments: Consultation New body 20 2 12.doc

Carrie Moss

'A Living Wales' Programme Team

Department for Environment and Sustainable Development

Welsh Government

Cathays Park

CF10 3NQ

Dear Carrie,

I thank you for offering me the opportunity to put forward our views on the Consultation document.

Please find attached my response on behalf of the Campaign for the Protection of Welsh Fisheries, a hard copy of which will follow by post.

Best Wishes

Allan Cuthbert

(Only when the last tree has died and the last river been poisoned and the last fish been caught will we realise that we can not eat money) 19th Century Cree Indian

Gogledd Cymru/North Wales:
highplains@angler9.wanadoo.co.uk



www.cpwf.co.uk

De Cymru/South Wales:
secretary@ogmoreanglingassociation.com

25 Ceg y Ffordd
Prestatyn
Denbighshire
LL19 7YD

Mobile: 07527402291

Carrie Moss
'A Living Wales' Programme Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
CF10 3NQ

Dear Carrie,

Re: Natural resources Wales - Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources

May we thank you for offering us the opportunity to respond to the consultation document, on behalf of the Campaign for the Protection of Welsh Fisheries and the many thousands of anglers who have pledged their support to our stated aims and objectives as defined in our mission statement which can be read on the Campaign web site located at www.cpwf.co.uk.

We apologise that this submission is not submitted in a bi lingual format.

By way of an introduction we should like to make it clear that we are aware that this consultation document is a fairly high level document and as such it may be that our concerns are addressed, at least in part, at some lower level in the documentary hierarchy but as we were not offered the opportunity to read or to comment at that lower level we keen to do so here.

Taking the questions as set out in your document:

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?

We are aware of the economic necessity and consequential financial benefits of the proposal and can see that the current fiscal climate leaves little option but to embark on the restructuring, however we do have a major concern.

The existing fisheries section of the Environment Agency equates to approximately 3% of the total Agency

*"yr ymgyrch mater unigol ar ran genweirwyr Cymru: lleol ac ymwelwyr."
"The single issue campaign on behalf of the anglers of Wales: local and visiting"*

budget as does the staffing compliment: at this level we believe that fisheries, especially the enforcement capability of that department, are almost drowned by the sheer size of the existing organisation. We are therefore concerned that following the restructure, this fisheries function, in particular, will be reduced to such insignificance that it will carry little weight and have equally little influence when fighting for budget allocation. In view of the great economic importance of angling to Wales, in excess of £100 million a year by your own accounting, this aspect of the Agency's current responsibility is worthy of special consideration and we believe that consideration should be given to making fisheries a "special case", with a ring fenced budget and an annually agreed increase in that budget based upon the increased level of potential revenue that function should and could generate for the Welsh nation.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?

We note, with regret, that those stakeholders, with whom you held discussions, appeared not to include representatives of the angling community, the views of whom we feel were at least worthy on some consideration.

Question 3: What are your views on this phased approach? How could we improve on it?

We are disappointed not to see some further consultation included during the later phases as there may be stakeholder input that would benefit the assumed "lessons learned log". Often minor amendments in the early period can prevent possible trauma later.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

We assume that the first stated aim to "*Contribute to protecting public health and safety and to promoting economic, social and environmental well-being and outdoor recreation.*" Would include the promotion and encouragement of angling, whilst the third to "*Further the conservation, restoration and enhancement of ecosystems,*" will encompass the proposed improvements to water quality and river habitat. There is no reference to enforcement: it would be helpful, for the sake of clarity, to know where this responsibility is to be included. We note the current comments being made in the press with regard to the loss of the WDA and the loss of the benefits it brought by the promotion of Wales internationally. We are of the view that the current estimate of the revenue estimated benefit of angling to Wales as being in excess of £100 million is an under estimation and that the quality of angling in Wales is such that with appropriate marketing the national income from the sport could and should be greatly increased. We believe that there is a good business case for devolving the fisheries function to a separate and distinct body which could then be charged with selling the Welsh angling experience to the wider UK and international market. This approach would provide the opportunity to set business delivery targets with the potential to improve the international image of Wales whilst generating much needed income and jobs in the rural areas, which are so desperate for secure and meaningful job opportunities.

Question 5: What are your views on the approach to the delivery framework?

We would like to see some reference to the views of stakeholders be taken into account when drawing up aims and objectives to include within the proposed delivery targets. It would also be useful to see some reference to stakeholder input into the establishment of performance indicators or at least the areas of performance that it is proposed be measured.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?

We appreciate that the functions listed are broad: there is no reference to enforcement relating to the section: "*Maintaining, improving and developing fisheries for salmon, trout, eels, lampreys, smelt and freshwater fish.*" We are of the view that this is one area where engagement with stakeholders could and should be added as the level of stakeholder participation and involvement is currently growing, albeit slowly. It is also an area where volunteers are currently being put to good use and it would be folly to disregard to potential of their growing enthusiasm and local knowledge. We believe that at least some of the operational duties that must inevitably be lost can, at least in part, be taken up effectively by volunteer groups, such as the Campaign for the Protection of Welsh Fisheries, who are currently working with the Environment Agency, albeit in a small way, to compliment works on environmental improvements. We

"yr ymgyrch mater unigol ar ran genweirwyr Cymru: lleol ac ymwelwyr."
"The single issue campaign on behalf of the anglers of Wales: local and visiting"

believe that the salmonids, salmon and sewin, are part of the great Welsh heritage that must be preserved, enhanced and be there for our grandchildren to enjoy.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?

The current estimates on the value of angling to Wales are based on much anecdotal evidence, especially the value of salmon and sea trout fisheries. Consideration should perhaps be given to “licensing” visiting anglers by perhaps making it a requirement that anglers fishing our rivers be required to offer a weekly permit, albeit that the permit be at negligible or even no cost. Angling generates a high revenue income to Wales and by this type of licensing it would be possible to objectively measure the increase in visiting anglers to Wales.

The Welsh GDP gains little from the national fishing industry due to the nature of the landscape and consequentially poor infrastructure to potentially service coastal ports, however the installation of the many coastal wind farms may well have the effect of producing artificial “reefs” to allow the growth of juvenile fish of all species to develop free from the trawlers that are banned from fishing too close to these installations. We believe that this offers a potentially profitable source of increased national income by the implementation of an enhanced “Golden Mile” initiative, which would exclude commercial fishing boats, with the exception of small local inland fishing initiatives like lobster, crab and other historically established sea harvesting. This would inevitably result in a much increased local head of fish, offering sea angling opportunities that would attract many to the rural areas where alternative sources of income are much needed.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?

You state “A key priority for the Welsh Government would be for the new body to take the opportunity to gather evidence of environmental issues on the ground in Wales to inform interventions.” We hope that this priority would include engagement with stakeholders at grass roots.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?

Our response is as for question 8 above.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?

We are concerned that this consultation has not been widely publicised. It should not be necessary for stakeholders to have to trawl the Assembly Government web sites: interested parties and their representatives are well known, this consultation could well have been cascaded down. Stakeholder engagement must be won and encouraged. We are disappointed to see that the FERAC is being abandoned, and would hope that perhaps the involvement of the Local Fisheries Advisory Groups will be encouraged and their appeal widened as has been happening over the last two years, much to the delight of many anglers and other interested parties.

Question 11: What are your views on these aspects of the regulatory arrangements?

We are of the view that self-permitting, like self-regulation is basically flawed and assume this to be an economic expedient.

In conclusion, I think it fair to say, that we have worked hard to establish a working relationship with the fisheries section of the Environment Agency Wales. We are about to launch a Bailiffs handbook for the River Clwyd system, which has been produced in collaboration with the Agency and the North Wales Police. We are working to enhance the environment on a major tributary of the Clwyd system and hope that these initiatives will be taken up throughout Wales, tailored to each of the river systems. Anglers generally are being encouraged to take a sustainable approach to their sport and the numbers returning caught salmonids to continue their journey up river to spawn is increasing greatly year by year. We believe we have been in the past and will continue to be in the future guardians of our rivers systems and the fish that depend upon them.

*“yr ymgyrch mater unigol ar ran genweirwyr Cymru: lleol ac ymwelwyr.”
“The single issue campaign on behalf of the anglers of Wales: local and visiting”*

Change and the management of change are special skills that if not handled correctly risk disruption and the destruction of good working relationships which having taken years to develop can be destroyed “at a stroke”. We are concerned that the developing partnerships with the unofficial third sector, who are also stakeholders in every respect when it comes to the environment, water quality and fish protection, may be damaged. We therefore request that the consultation process be continued throughout the early stages of this amalgamation and would ask that the Assembly Government keep an open mind with regard to the possibility of taking fisheries out of the giant conglomerate and relocating it as a separate entity where it can be directly answerable to the Assembly Government and its stakeholders. We also request clarity with regard to the future role of the new body, if the fisheries section is absorbed therein, with regard to enforcement, policing our rivers and the provision of a dedicated enforcement team staffed such that they are able to gain intimate knowledge of the rivers they protect, their ecology, the areas susceptible to the ravages of poaching, which we believe is currently on the increase as a consequence of the difficult economic climate that prevails.

We appeal on behalf of the angling community, the businesses that profit from the presence of local as well as the thousands of visiting anglers, but more importantly, on behalf of the fish which our Mission Statement charge us to protect.

Yours sincerely

Allan Cuthbert

For and on behalf of the Campaign for the Protection of Welsh Fisheries.

Only when the last tree has died and the last river been poisoned and the last fish been caught will we realise that we cannot eat money (Cree Indian saying)

From: Westlake, Debbie (DESD)

Sent: 12 March 2012 09:40

To: SEB mailbox

Subject: FW: Consultation regards wales natural resources.

Please see attached a response that looks as if it covers comments on both consultations, you may therefore wish to retain this for the SB consultation records. I have noted Mr Jones's comments in relation to the Sustaining a Living Wales consultation.

Thanks

Debbie

Debbie Westlake

Tin Cyfathrebu/Communication Team

Rhaglen Cymru Byw /Living Wales Programme

Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : Brian e Jones [mailto:813jones@talktalk.net]

Sent: 10 March 2012 12:24

To: Living Wales

Cc: jonathan.cryer@rspb.org.uk

Subject: Consultation regards wales natural resources.

Dear Sir/ Madam ,

I would like to raise my concerns with regard to the pending/consultation on the New body that will preside over the USE of Wales's natural resources.

1. That the Body setup to oversee the Project will not be too heavy in the Management Team , thus reducing the funds available for the intended task: ie three departments as now overseen by another tier of management...I will be expecting to see a massive reduction in this area if it is the real intention to save public money....

2. From experience, many projects concerning natural resources conservation ie Cardiff Bay have been cohered for the benefit of the developer. The Newport Levels sustain different species of bird of those forcibly removed from their natural habitat, and the new facility at Newport has already been the subject of a NEW relief ROAD

3. I would expect any public body, setup in my name as a taxpayer, for the benefit of natural

resources, to listen to our concerns by ensuring that other species and the habitats they need to exist are considered above that of Speculators.

4. I would expect, in the best, that any such body will ensure the the full PROTECTION and IMPROVEMENT of all protected sites and allow their inhabitants to enrich future generations not the greedy pockets of the present.

Yours sincerely

B E Jones

Telephone : 01437 762503
E-mail : david@nattress.plus.com

32, Richmond Crescent
Haverfordwest
Pembrokeshire
SA61 1EH

10th March 2012

Dear Sirs.

Response to the Welsh Government's consultation on the establishment of a single environmental body.

The Welsh Government has issued two closely related consultations (Living Wales and this one) at the same time so that to anyone interested the two become somewhat mixed, the one with the other. What follows is intended to deal with the proposed Single Environmental Body (SEB) and you must forgive me if I stray into other fields.

There are other bodies and functions which should be incorporated into the SEB.

Glastir and the existing rural payment systems form an essential part of maintaining the environment, they are one of the means by which society pays for it.

Glastir cannot be allowed to run as a separate system of environmental management.

The Single Farm Payment system is equally an essential part of maintaining the environment. It is a further means by which society pays for it.

The Rural and Farm Payment functions of the Welsh Government should be part and parcel of the new SEB.

As I understand it (it is somewhat difficult to find out just what they are supposed to do) the Rural Inspectorate of Wales has duties in respect to fallen stock, invasive weeds, etc. which clearly should be part of the functions of the new body. As I understand it they are also responsible for the function of withholding Single Farm Payments in cases where there has been a dereliction of the duty to preserve the environment by the mis-management of a farm. That they patently do not carry out this function is a cause for shame given the sums of public money involved. In European terms it is probably a crime as well. The fact that the Welsh Government pays out over 99% of what is claimed speaks for itself. No industry is blameless to the extent of less than 1 per cent!

When the public comes to the realisation that they are funding, through their taxes, a proposed 16% increase in income for farmers for the current financial year in a time of national austerity then the politicians in charge had better watch out.

As has just been shown in matters of the relationship between government and the press that it is necessary to stand up to bullies and the farming sector in relationship to the government and the environment is just that, a bully. We pay them vast sums of money to protect the environment and they despoil it. Far from being free from

fear of enforcement (did I really see that somewhere?) they should be subject to rigorous enforcement of the Code of Good Agricultural Practice with the threat of withholding their Single Farm Payments as coercion.

You propose that the new body will have, as its guiding principle, an ecosystem approach based on the international definition. I would most strongly suggest that the inclusion of cultural diversity in the definition of ecosystem is most inappropriate for Wales. The international definition has to take account of places like Brazil and India and we do not have the divergence of cultures found there. By its inclusion it is likely to be hi-jacked by a section of the community devoted to the preservation of hill farming and remote communities. The policy and governance of the new SEB should benefit society as a whole, on the basis of the way the majority of the population live. Individual remote communities have a value and a function but their preservation should in no way be allowed to predominate. I am sure that, if you asked them, many if not most farmers in 'Less favoured areas' would readily swap their farms and isolated life style for something more comfortable. They continue as they are largely because the place gives them somewhere to live. Without the subsidies they enjoy, subsidies which have been so cruelly removed from other sectors of Welsh life, they would fade away almost overnight.

Management of the environment is, inextricably, bound up with water. Many of the functions of Dwr Cymru Welsh Water impinge on the environment and there will have to be a close working arrangement between the new body, this company and the other large water undertakers operating in Wales.

If you really want to clean up the diffuse pollution in urban areas - much of it stemming from DCWW's sewer systems and the hundreds of 'deemed consent' or 'presumed consent' discharges to Welsh rivers then they have got to be involved. To achieve that 'clean up' the water companies are going to be involved in massive expenditure. There would have to be political pressure not only on the companies but also on the public who are going to have to fund it.

In the old days, when the sewers were in the care of and were the responsibility of the local authority, and that same authority could also dictate and supervise (by notice under the Public Health Acts) what drained into them, keeping surface water drainage clean was relatively simple. The same was true of keeping rainwater out of foul sewers. Now the company has the problem without ready recourse to the remedy. With a close relationship between the new body and the water companies there may be a case for extending the powers of the new body in relationship to the drainage of individual properties, taking something from the local authorities, a function if not a physical entity.

Local authorities have a function in respect to the planning of new developments be they for housing or for business. There should be a presumption in favour of a dual system of drainage (to relieve the burden of rainwater on sewage treatment) for any new development.

I can envisage a good case being made for the provision of a dual system of sewers to existing property and works to the drainage of individual properties to ensure that

foul and rain water was kept separate.

In all these cases, with the eventual objectives of relieving the burden on sewage treatment works thus cleaning up the discharges which have sometimes to be made in the case of rain and cleaning up the foul discharges from surface water drainage systems, there would have to be a transfer of powers to control drainage on properties either to the new body or to the water company. At the moment, unless the degree of offence is gross, local authorities can say to the water company 'that's your problem' whereas, in the past, it was definitely theirs.

Besides bullying from our agricultural sector business and industry should not be allowed to bully the, relatively small, Welsh economy from elsewhere in the UK or Europe and thus reduce the aims and eventual outcomes of the SEB by a diminution of standards to their own benefit.

There is a clear conflict of interest in what is proposed. The forestry element is shown to be predominant and it should not be. The way that the consultation paper talks of the need for a consistent output of timber, the way that weight is given to the needs of the timber industry, the way that the Welsh Government is already concerned with a Woodland Creation Element, the size of the Forestry Commission in relation to the other two arms these all speak to the dominance of forestry. If the intention of the new body is to carry into force the ecosystem based sustainable development addressed elsewhere this must not be allowed to happen.

Conifer trees and a sustainable ecosystem based environment do not go together. Conifers lead to acidification to the detriment of fisheries, to faster run-off in rain events and to the aspiration of millions of tons of water from upland conifer plantations that would be conserved by a cover of native plants like sphagnum moss. It is also difficult to see how a cover of conifers would enhance the appearance of Wales.

The Welsh Government must stop salivating over the prospect of a massive boost to the rural economy from forestry if it is serious about an ecosystem based sustainable development.

As an angler I would welcome the demise of FERAC and it's replacement by something which we, who are so involved, can own and help to shape. The existing system appears to be put in place so that the Environment Agency can tell anglers what they propose to do. We need something which is much closer to telling the SEB what we want and what we expect. I suppose that the 'R' in that acronym would have similar views.

I have a view on the cross-border aspect of the fishing licence. Surely an arrangement can be come to with the English EA whereby Welsh licences will be valid over there and vice versa, if only for the sake of Welsh tourism. I sometimes fish in England and really do not want the bother and expense of having to obtain two licences. For those Welshmen living close to Offa's dyke the matter will be very relevant.

6r

In general I approve of what is proposed. There will be obvious synergies and the service, when it has settled down should be more immediate.

Can I close by observing that *Didemnum vexillum* is a marine organism and whilst it's presence is to be regretted the vast majority of the population will never see it or have anything to do with it just notice the seeming inevitable loss of sea fish. Meanwhile invasive piscivorous birds, the freshwater version of the cormorant and goosanders, are doing immense, immediate and lasting damage to freshwater fisheries in Wales with, apparently, no concern on the part of the EA or the CCW. CCW would I guess be more concerned to preserve the ***** goosander than arrange for it to be shot! The EA just hold up their hands on the matter of birds, bemoan the near disappearance of salmon and sea trout, offer us nothing in the way of re-stocking and seek to curtail our activities as a means of controlling falling fish stocks. I expect a great deal better from the new organisation.

Yours faithfully,



David Nattress

Living Wales Programme Team
Department of Environment and Sustainable Development
Cathays Park
CF10 3NQ

From: Communications [communications@wales.gsi.gov.uk]

Sent: 11 March 2012 10:40

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email:

/consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Helen Pye

Organisation (if applicable):

n/a

Email / telephone number:

helenspye@yahoo.com

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

There are some positive things that I can see coming out of it. From my experience of working in partnership with the various bodies they can all bring positive aspects to the table. EAW appear to have excellent project management systems in place, and although they can often be quite segregated and poor at true partnership work, when they have implemented projects in my area the planning and implementation has been faultless. FCW have shown excellence in partnership working (though this may be down to individual staff rather than the organisation itself) and are very good at achieving things 'on the ground'. CCW have a strong pool of expertise though they do seem very slow in getting things done and there systems can often be overly bureaucratic.

These are the additional concerns I have with the creation of the new body: - Loss of relationships: on a local level and working for a National Park I have built up strong and valuable relationships with representatives from both CCW and FCW, there is the risk that these will be lost with the creation of the new body. - Bigger isn't always better: My experience of working with larger bodies such as EAW and CCW is that is quite often very difficult to get in contact with the right person, and the level of bureaucracy (particularly within CCW) is such that it's often near impossible to move forward with project or issues. FCW is the only organisation I have dealt with where this hasn't been a major problem. - Loss of talented staff: The right people can make a huge difference to

Question 2: In developing our proposals for

the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

the success of partnership working - people like Paul Dan and Neil Stoddart (FCW) have made a huge difference in their areas due to their skill and dedication. How will the WG identify and retain those talented staff and 'lose' those staff that underachieve and under perform? Local staff also have local knowledge and expertise and my concern is that this would be diluted with a larger body. - Bureaucracy: the pathways to getting things done and getting in touch with the right people need to be made very clear and simple to both the public and public/private organisations. - Healthy debate: Having separate organisations encourages a healthy debate when there are specific/complicated issues to deal with, and as a result common sense often prevails, my concern is that this will be lost with a larger less specialised organisation.

Question 3: What are your views on this phased approach? How could we improve on it?:

-

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

They do but there is the risk that the body is trying to achieve so much that outcomes would be diluted. It would make sense to ensure that the new body has 'branches' or 'departments' geared towards achieving the various different strategic outcomes. I also have real concern that not enough weight is given to the conservation of species, habitats and ecosystems.

Question 5: What are your views on the approach to the delivery framework?:

-

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Policy: The transfer of policy development to the WG is a good one in principle freeing up the new body to deliver on the ground. However I would be concerned that the policy makers would be divorced from 'reality' how could this be addressed?

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Marine - why not include the 'marine policy' part in with the other policy developers within the WG?
Licencing - have a separate licencing body within the new single body that issues all wildlife related licences - as well as assents for work in SSSI's etc.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

This could also be improved by closer liaison with other public, private and charitable bodies who also conduct research.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

-

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

No views on this

Question 11: What are your views on the aspects of the regulatory arrangements?:

I think that this would work well but that licencing (badgers/felling etc) should also be included within this 'department'.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

The right staff are key to the success of this new body. There is no mention of how the most productive and successful staff will be retained and those that are poor achievers replaced. It is also worth looking at how new pools of talent can be drawn in. EAW seems to have a well developed recruitment strategy. The three bodies currently provide key funding streams for things like SLAs, footpath management and habitat management to other bodies, if this were to be reduced it would have a major impact on the management of the countryside.

From: David Rickard [rickard@cardiff.ac.uk]

Sent: 20 March 2012 09:56

To: Moss, Carrie (DESH)

Subject: Re: Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources

Carrie, I looked at your document. It reminds me of a similar initiative in Sweden in the 1980's. This ended up quietly shelved because it was not integrated with industry, especially the extractive and energy industries on- and off-shore.

I think the title at present is misleading. The arrangements you refer to seem only to address a merger of three bodies concerning, mainly, the terrestrial environment. I think this is a good thing - anyone who has been involved in getting planning permission will welcome this in principle. Having only one body to oversee this area is obviously beneficial to the Welsh economy. However, in order for it to function better it does not only need a bureaucratic reorganization. It requires joined-up hand writing with other ministries - particularly industry - but I guess there are other interested parties.

I was also disappointed in the intellectual rigor of the document. It does not seem to address, for example, the medium and long term future of Wales in terms of, for example, (a) its relationship with the rest of the UK, especially England and even Ireland (e.g. nuclear pollution in the Irish Sea; sand and gravel extraction; hydrocarbon exploration etc.) We had a similar problem at independence with regard to sustainability and cross-border arrangements with England regarding water resources; (b) the effect of climate change and planning for extreme weather events. The example of the Llanishen reservoir site and future flood risks for housing on that site springs to mind (c) key future resource based industries, such as shale gas extraction. There are many others. Perhaps the way forward is to limit more rigorously the scope of the new body.

Professor David Rickard FLSW.

From : [Moss, Carrie \(DESH\)](#)

Sent: Monday, March 19, 2012 4:23 PM

Subject: Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources

You may be aware that the Welsh Government is currently consulting on the proposal to establish a new body for managing Wales' natural resources.

We would like to draw your attention to this ongoing consultation which seeks views on the form, structure and functions of the new body. A copy of the document is available on the Welsh Government's website at: <http://wales.gov.uk/consultations/environmentandcountyside/singlebody/?lang=en>

Regards

Carrie Moss

Adran yr Amgylchedd a Datblygu Cynaliadwy

Department for Environment and Sustainable Development

Llywodraeth Cymru/Welsh Government

Ffon/Tel: 02920 82 5527

e-bost/ e-mail: Carrie.Moss@wales.gsi.gov.uk

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Wrth adael Mewnrwyd Ddiogel y Llywodraeth nid oedd unrhyw feirws yn gysylltiedig â'r neges hon. Mae'n ddigon posibl y bydd unrhyw ohebiaeth drwy'r GSi yn cael ei logio, ei monitro a/neu ei chofnodi yn awtomatig am resymau cyfreithiol.

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<http://www.pctools.com>

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From: Phil Holden [phil.holden@shropshire.gov.uk]

Sent: 30 March 2012 15:53

To: SEB mailbox

Subject: Single Environmental Body consultation

I write on behalf of the Shropshire Hills AONB Partnership in relation to your current consultation on the formation of a single environmental body for Wales. The Shropshire Hills AONB abuts the Welsh border for most of its western boundary. Developments in Wales may therefore affect it, and we work closely with Welsh partners on a number of cross-border projects.

The comment we wish to make is that the proposed aim and strategic outcomes of the new body appear to omit the valuable and integrating concept of landscape, and the current associated functions and roles of the Countryside Council for Wales. Landscape is not just about the visual appearance of the countryside – it incorporates geology and landform, biodiversity and heritage, and importantly the perceptions of people and the ways in which they relate to an area. The designations of AONB and National Park are rooted in this concept, and it is applicable everywhere in a very complementary way to sustainable development and ecosystem services.

I hope you will be able to incorporate specific mention of landscape purposes in the arrangements for the new body.

Phil Holden

Shropshire Hills AONB Partnership Manager

Shropshire Hills AONB Partnership, The Old Post Office, Shrewsbury Road, CRAVEN ARMS, SY7 9NZ

Tel: 01588 674088 (direct line) 01588 674080 (main office number) Fax 01588 674099

www.shropshirehillsaonb.co.uk [www.twitter.com/#!/ShropHillsAONB](https://twitter.com/#!/ShropHillsAONB)

Shropshire Hills Area of Outstanding Natural Beauty – working together to conserve and sustain the landscape
The AONB Partnership is hosted by Shropshire Council and funded also by Defra, Telford & Wrekin Council and project funders.

One of 46 AONBs in the UK – www.LandscapesForLife.org.uk

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30/03/2012

BWRDD YR IAITH
GYMRAEG WELSH
LANGUAGE BOARD

Carrie Moss
Tîm Rhaglen 'Cymru Fyw'
Adran yr Amgylchedd a datblygu Cynaliadwy
Llywodraeth Cymru
Parc Cathays
Caerdydd
CF10 3NQ

ADNODDAU NATURIOL CYMRU – Trefniadau arfaethedig ar gyfer sefydlu a chyfarwyddo corff newydd i reoli Adnoddau Naturiol Cymru

Annwyl Carrie Moss

1. Mae Bwrdd yr Iaith Gymraeg (y Bwrdd) yn gwerthfawrogi'r cyfle i ymateb i'r ddogfen uchod. Hoffem gynnig y cyngor isod yn unol ag Adran 3 Deddf yr Iaith Gymraeg 1993 (y Ddeddf).

2. Deddf yr Iaith Gymraeg 1993

Adran 3. – (2)

(b) yn cynghori personau sy'n ymarfer swyddogaethau o natur gyhoeddus ar y ffyrdd o weithredu'r egwyddor, wrth gynnal busnes cyhoeddus ac wrth weinyddu cyfiawnder yng Nghymru, y dylid trin y Gymraeg a'r Saesneg ar y sail eu bod yn gyfartal;

(c) yn cynghori'r rheiny a phersonau eraill sy'n darparu gwasanaethau i'r cyhoedd ynghylch defnyddio'r iaith Gymraeg yn eu hymwneud â'r cyhoedd yng Nghymru.

3. Sefydlwyd y Bwrdd fel corff statudol trwy Ddeddf yr Iaith Gymraeg 1993 i hybu a hwyluso'r defnydd o'r iaith Gymraeg. Mae gan y Bwrdd swyddogaethau a phwerau statudol sydd yn mynnu bod cyrff cyhoeddus yn paratoi cynlluniau iaith, sy'n gosod allan sut y byddant yn gweithredu'r egwyddor uchod yn ymarferol.



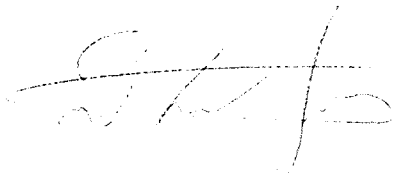
4. Mae ymateb y Bwrdd yn canolbwyntio ar yr agweddau angenrheidiol i'r corff newydd sy'n ymwneud â'r iaith Gymraeg yn hytrach nag ymatebion i'r cwestiynau penodol a geir yn y ddogfen ymgynghori.
5. Mae'r Gymraeg yn fater cydraddoldeb yng Nghymru ac i'r perwyl hynny nodwn y cyfeiriad at y Gymraeg sydd yn y crynodeb ar dudalen 3 ac yn benodol at eich bwriad o gynnal ymgynghoriad pellach ar gynllun iaith Gymraeg y corff newydd, a chrosawn hyn yn fawr. Mae gan y Gymraeg statws swyddogol yng Nghymru ers i Fesur y Gymraeg (Cymru) 2011 dderbyn cydsyniad brenhinol ym mis Chwefror 2011
6. Mae gan bob un o'r tri corff presennol Gynllun Iaith Gymraeg statudol. Er bod nifer o ymrwymadau sy'n gyson ar draws y tri sefydliad, mae hefyd rhai gwahaniaethau yn yr ymrwymadau. Er mwyn sicrhau y gwasanaeth gorau posibl i'r cyhoedd ac adlewyrchu strategaeth iaith Gymraeg "Iaith Fyw: Iaith Byw" y Llywodraeth, mae'n bwysig mabwysiadu elfennau mwyaf arloesol ac uchelgeisiol y cynlluniau ar gyfer y corff newydd.
7. Mae Cynllun Iaith Cyngor Cefn Gwlad Cymru wedi datblygu'n sylweddol dros y blynyddoedd, ac yn ystod y blynyddoedd diweddar maent wedi cymryd rhan ym mhrosiect Gweithleoedd Dwyieithog y Bwrdd. Bwriad y prosiect hwn yw datblygu a meithrin defnydd y Gymraeg yn fewnol fel bod modd i staff allu weithio yn ddwyieithog. Mae'r Cyngor wedi buddsoddi'n sylweddol yn y maes hwn drwy gyflogi Swyddog Iaith penodol a hefyd cyflogi ymgynghorydd iaith i gynorthwyo gyda rhedeg y prosiect. Mae ganddynt hefyd rhwydwaith pencampwyr gyda chynrychiolydd o bob adran yn mynychu er mwyn sicrhau ymwybyddiaeth ar draws y sefydliad. Mae'r cynllun hwn wedi bod yn llwyddiannus iawn ac mae'r Cyngor yn arwain y ffordd yn y maes hwn.



BWRDD YR IAITH
GYMRAEG WELSH
LANGUAGE BOARD

8. Fe nodir yn adran 7.1 o'r ymgynghoriad fod corff cysgodol yn cael ei sefydlu gyda staff wedi'u secondio o'r cyrff presennol er mwyn dechrau ar y gwaith o sefydlu'r corff newydd. Fe nodir hefyd fod y gwaith sy'n ymwneud â polisi yn cael ei gyflawni gan Lywodraeth Cymru. Argymhellwn felly fod y gwaith o ddatblygu cynllun iaith Gymraeg y sefydliad newydd yn mynd rhagddo fel ei fod yn flaenoriaeth o'r dechrau gan y corff newydd. Dylid cael y cynllun mewn lle erbyn dyddiad sefydlu'r corff newydd ym mis Ebrill 2013. Gallai fod yn ddefnyddiol sefydlu ffrwd gwaith penodol ar y Gymraeg er mwyn sicrhau trefniadau effeithiol o'r cychwyn.
9. Cafodd Mesur y Gymraeg (Cymru) 2011 ei gymeradwyo ar Chwefror 11^{eg} 2011, ac o ganlyniad diddymir y Bwrdd ar Fawrth 31ain 2012 a throsglwyddir swyddogaethau adrannau perthnasol Deddf yr Iaith Gymraeg 1993 i Gomisiynydd y Gymraeg. Y Comisiynydd felly fydd â'r cyfrifoldeb o'ch cynorthwyo gyda'r gwaith o lunio Cynllun Iaith ar gyfer y sefydliad newydd.
10. Gall Comisiynydd y Gymraeg gynnig cyngor ar hyn yn ôl yr angen a bydd modd cysylltu â'r Comisiynydd o Ebrill 2il ymlaen.
11. Unwaith eto diolch i chi am y cyfle i ymateb i'r ymgynghoriad hwn a hyderwn y byddwch yn ymgorffori'r sylwadau uchod wrth ddatblygu sefydliad newydd.

Yn gywir



Dylan Jones

Swyddog Datblygu – Uned Llywodraeth yng Nghymru



Carrie Moss
'A Living Wales' Program Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

NATURAL RESOURCES WALES – Proposed arrangements for establishing and directing a new body for the management of Wales' Natural Resources

Dear Carrie Moss

1. The Welsh Language Board (the Board) appreciates the opportunity to respond to the above document. The Board would like to offer the following advice in accordance with s.3 Welsh Language Act 1993 (the Act).

2. Welsh Language Act 1993

s.3(2)

(b) advise persons exercising functions of a public nature on the ways in which effect may be given to the principle that, in the conduct of public business and the administration of justice in Wales, the English and Welsh languages should be treated on a basis of equality;

(c) advise those and other persons providing services to the public on the use of the Welsh language in their dealings with the public in Wales.

3. The Board was established as a statutory body by the Welsh Language Act 1993 to promote and facilitate the use of the Welsh language. The Board has statutory functions and powers which require public bodies to prepare language schemes, setting out how they propose to implement the principle of equality in practical terms.
4. The Board's response focuses on the necessary aspects of the new body regarding the Welsh language, rather than the responses to the specific questions in the consultation document.
5. The Welsh language is a matter of equality in Wales and in this regard we draw your attention to the reference made to the Welsh language in the summary on page 3 and specifically, to your intention to hold another consultation on the new body's Welsh language scheme. We warmly welcome this proposal. The Welsh language has official status in Wales since the Welsh Language (Wales) Measure 2011 received royal assent in February 2011.
6. Each of the three existing bodies have statutory Welsh Language Schemes, which outline many similar commitments, however there are some different commitments noted. In order to ensure the best possible service for the public, and to reflect the Government's Welsh language Strategy 'A Living

Language: A Language for Living', it's important the new body adopts the most innovative and ambitious elements of the schemes.

7. The Countryside Council for Wales' Welsh language Scheme has advanced substantially over the years, and during the most recent years, the Council has participated in the Board's Bilingual Workplaces project. The project's aim is to promote and nurture the use of Welsh internally to enable staff to work bilingually. The Council has made substantial investment in this field by employing a Welsh Language Officer and a language consultant to aid the execution of the project. The Council has also established a champion network which requires a representative from each department to attend in order to ensure institution-wide awareness of the project. This scheme has been very successful and the Council is leading the way in this field.
8. As noted in section 7.1 of the consultation, a shadow body shall be established which will include staff members seconded from existing bodies to begin the establishment of the new body. It is also noted that the Welsh Government is responsible for work relating to policy. Therefore we recommend that the development of a new Welsh Language Scheme for the new body is a priority from the outset. The Scheme should be implemented by the date of establishing the new body in April 2013. It may be useful to establish a specific work-stream on the Welsh language to ensure effective arrangements from the outset.
9. The Welsh Language (Wales) Measure 2011 was approved on February 11th 2011 and as a consequence the Board was dissolved on March 31st 2012. The functions of the specific sections of the Welsh Language Act 1993 were transferred to the Welsh Language Commissioner. It is therefore the Commissioner's responsibility to help draw up a Welsh Language Scheme for the new body.
10. The Welsh Language Commissioner may offer advice on this matter as required. The Commissioner may be contacted from 2nd April onwards.
11. Once more, we'd like to thank you for the opportunity to respond to this consultation and we are confident you will embrace the comments made above as a new body is developed.

Yours sincerely

Dylan Jones
Welsh Government Unit – Development Officer

From: Communications [communications@wales.gsi.gov.uk]

Sent: 03 April 2012 16:25

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: /consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: Dr Jeanette Reis

Organisation (if applicable): Cardiff University

Email / telephone number: ReisJ@cardiff.ac.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?: In theory this is a good idea, but in practice it is important to carefully identify and support key functions. It is unclear why the Forestry Commission should be a part of the Single Environmental Body. Further justification would assist.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?: n/a

Question 3: What are your views on this phased approach? How could we improve on it?: a sensible approach

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?: It would be good to see education and public engagement as a key priority.

Question 5: What are your views on the approach to the delivery framework?: n/a

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?: (Table 1, point 1): this should list "costs and benefits" to the env/ people/ organisations. (Table 1, point 3): this should be "environmental" (not ecological) as this encapsulates a broader remit

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?: I am supportive of this, as it would simplify the licensing process and ensure experts are able to take decisions.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Yes, provided opportunities for funding research are well advertised and open to public/ private research organisations.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Yes, agreed.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Also include young people in the list of stakeholders

Question 11: What are your views on the aspects of the regulatory arrangements?:

I have reservations about complete self regulation. Perhaps an independant third party could oversee or audit such activities?

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

Would be useful to see a full list of services provided by EA/FC GB.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 04 April 2012 13:35

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: /consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

TIM R KIRK

Organisation (if applicable):

WOODLAND OWNER, AND FOREST VALUATIONS
(my company) AND CHAIRMAN CONFOR WALES

Email / telephone number:

kirkvaluations@hotmail.co.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

* generally wary. * concern that the long gestation period will lead to stagnation. *The Business Plan does not-- cannot-- take account of the human uncertainties and loss of productivity that this reorg will induce. * The fact that the FC contains a substantial commercial arm, seems to be largely ignored in the BP eg annex 6., and the conflict of interest between an agency and a commercial org that exists now, will continue. eg felling licence and enforcing restocking.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

* The social role seems to be sidelined. * The Government seems to ignore the problem of having the major rural grant mechanism (Glastir) in one Ministry and SB in another.

Question 3: What are your views on this phased approach? How could we improve on it?:

*Too long * The sooner an MD is appointed the better. There needs to be a business responsibility at the helm asp.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

* Para 1 ichallenge in 4.3 seems to state that the curent status quo has been ineffective. they are not perfect, but if it is broke etc... Too much fixing will wreck what are in most cases competent deliveries.

Question 5: What are your views on the approach to the delivery framework?:

* Alarmist statements like 4.1 /4 "These decisions are critical to Wales' future. " are again implying that what we have is incompetent. This is far from the case. * However 4.2 illustrates the profusion of Government attempts to legislate in Rural affairs, and the need for joined up thinking.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

* Emphasis must be on effective interaction between all interests currently contained within the 3 agencies. * The public part in all this is absent. FC has a strong public education/access remit and this must be satisfactorily translated in the SB. SB is not just about running how the countryside functions in the material sense, but how it works for us. In both senses of the word-- work.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

* many years were spent evolving the WGs Woodland Strategy doc- "Woodlands for Wales". Nowhere is there any proposal to enhance and protect this work, nor indeed who will be the guardian.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

* this aspect is so important to what the SB seeks to achieve and yet the proposals seem limited in their vital ambition. Last para is very luke warm-- to take the opportunity..!!

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

* 6.4/2 The probation period etc but then what? ?? if the conclusion is that it has failed-- will the WA revert to the current status quo?

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

*There is no equivalent of the WSAP in other bodies. Nor easy to see how there can be. Will WSAP be able to continue to deal with the forest sector of SB? * Forestry has a v close interface with the public and their paramount interests. This does not exist for the EA/CCW, therefore the present arrangements should be adopted and left well alone, and evolve naturally.

Question 11: What are your views on the aspects of the regulatory arrangements?:

no comment*

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

* A great concern that the skills contained in the 3 orgs will not be watered down in an attempt to cross-breed skills. The loss of specific forestry management skill would be a disaster. * The commercial imperative of the countryside seems to be lost in the SB ambitions. No profitable employment will lead to a stagnant countryside. * Much of the business case rests on synergies of aspects of admin. Not delivery of a proper Living Wales. Why was a straight admin org offshoot for IT/HR/vehicles etc not considered?

From: Communications [mailto:communications@wales.gsi.gov.uk]
Sent: 10 April 2012 12:00
To: SEB mailbox
Subject: SEB Consultation online form

Page used to send this email: /consultations/forms/sebresponse/

Mae'n bosibl y bydd ymatebion i ymgynghoriad yn cael eu cyhoeddi - ar y rhyngwyd neu mewn adroddiad. Pe bai'n well gennyf i'ch ymateb gael ei gadw'n gyfrinachol, ticiwch y blwch:

(Unchecked)

Eich enw:

Iolo ap Gwynn

Sefydliad (os yn berthnasol):

Yn mynegi barn bersonol

Ebost/ rhif ffôn:

iolo.apgwynn@tiscali.co.uk / 01970 832 551

Cwestiwn 1: Beth yw eich barn am ein cynigion i gynnig dull o reoli mwy integredig trwy uno'r tri chorff a chreu un corff amgylcheddol i Gymru?:

Mewn egwyddor gwelaf fod llawer o ddadleuon dros uno gweithrediadau'r tri chorff presennol o dan un corff newydd. Dylai symleiddio'r broses o ymgynghori ar unrhyw fater amgylcheddol. Er hynny, mae gennyf bryderon mai canlyniad hyn fydd creu corff mwy canolig a llai ymatebol i anghenion amgylcheddol ar raddfa leol - ble maent yn weithredol. Felly, i'r drefn newydd weithio bydd angen iddo fod yn weithredol ddatganoledig - seiliedig ar yr egwyddorion rheoli ecosystem a welir yn Cymru Fyw. Mae Cymru'n gymysgedd o ecosystemau ac mae anghenion lleol y rhai hynny yn wahanol iawn i'w gilydd (e.e. cymharer ardal yr afon Ddyfi gydag ardal yr afon Taf). I gael dealltwriaeth o anghenion ecosystemau o'r fath rhaid cael cyfoeth o wybodaeth lleol. I gael rheolaeth effeithiol rhaid cael cysylltiadau lleol cryf. Felly, byddwn yn gobeithio y byddai'r corff newydd yn datblygu strategaethau ac egwyddorion cyffredinol yn genedlaethol tra'n sicrhau eu dehongliad a'u gweithrediad ar raddfa leol - megis drwy awdurdodau'r Parciau Cenedlaethol a'r Ardaloedd o Harddwch Arbennig.

Cwestiwn 2: Wrth ddatblygu ein cynigion ar gyfer y corff, a oes camau ychwanegol y gallm eu cymryd i fynd i'r afael â'r pryderon rydym wedi'u nodi yn adran 2.4 neu unrhyw bryderon eraill sydd gennyf?:

Yn pryder sydd gennyf yw nad oes ystyriaeth llawn yn cael ei roi i'r egwyddorion sylfaenol sy'n gynnwysedig yn Cynnal Cymru Fyw. Os ydym i weithredu ar sail dadansoddi ecosystemau mae'n ofynnol i'r asiantethau hynny fydd yn gweithredu egwyddorion y corff unigol newydd, ar raddfa lleol, fedru rheoli ecosystemau cyflawn. Gan amlaf gellir ddiffinio ecosystem weithredol ar sail dalgylch afon. Fel engrhaifft o'r hyn all fod yn anghenrheidiol o ganlyniad i geisio gweitherdu egwyddorion dadansoddi ecosystem yw y

bydd angen ail-edrych ar ffiniau gweithredol cyrff sy'n ceisio rheoli'r amgylchedd mewn ardaloedd lleol. Er enghraifft, mae synnwyr i ddynodiad UNESCO i Fiosffer Dyfi, er fod rheolaeth amgylcheddol yr ecosystem honno wedi ei rannu rhwng sawl awdurdol cyhoeddus.

Cwestiwn 3: Beth yw eich barn am y dull hwn o weithio fesul cam? Sut fyddai'n bosib inni wella ar hyn?:

Mae'n ymddangos yn synhwyrol - os yn heriol!

Cwestiwn 4: A yw'r cynigion hyn yn sylfaen dda ar gyfer prif nod a chanlyniadau strategol y corff? Sut fyddai'n bosib eu gwella?:

Yn eu hanfod teimlaf eu bod yn synhwyrol. Er hynny, teimlaf y dylid pwysleisio'r ffaith y bydd angen i'r drefn newydd fod yn weithredol ddatganoledig, gyda'r bobl sy'n dehongli'r strategaethau cyffredinol ar lefel ecosystemau lleol yn gweithredu'n lleol. Os yw hyn i weithio bydd rhaid i hyn fod yn rhan hanfodol o'r drefn o'r dechrau. Mae'r adnabyddiaeth lleol o ardaloedd ac ecosystemau lleol sydd gan bobl lleol yn hanfodol i'w lwyddiant. Yr awdurdodau mwyaf llwyddianus ar hyn o bryd yw'r rhai hynny sydd wedi meithrin cysylltiadau dwfn gyda'r gymuned a'r amgylchedd leol.

Cwestiwn 5: Beth yw eich barn am y dull o weithredu'r fframwaith cyflenwi?:

Os yw i fod yn llwyddiannus credaf y bydd rhaid i'r fframwaith cyflenwi fod wedi ei seilio ar drefn ddatganoledig. Bydd ei lwyddiant/methiant yn ddibynnol ar fonitro ar lefel leol.

Cwestiwn 6: A yw'r swyddogaethau sy'n cael eu disgrifio yn nhablau 1 i 3 yn grynodedb rhesymol o'r swyddogaethau fyddai eu hangen? Sut y gellid eu gwella?:

Ar y cyfan, ydynt. Ond, a ddylid ymgorffori'r egwyddor fod gwybodaeth leol a rhyng weithio gyda cymunedau yn rhan hanfodol o'r strwythur (mae'r Parciau Cenedlaethol a'r AOHNA ayyb. yn cael eu henwi ond nid yw ei cyfrifoldebau'n cael eu diffinio). Er mwyn 'gwerthu' egwyddor cyffredinol o ddadansoddi ecosystemau i bobl yn eu cymunedau - fel sydd angen o dan Cymru Fyw - mae angen diffinio sut y cylawnir hynny. Y perygl fel arall yw creu corff canolog awdurdodol fydd yn gelyniaethu'r cymunedau. Byddai hynny'n drychinebus.

Cwestiwn 7: Beth yw eich barn am y cynigion i newid swyddogaethau Llywodraeth Cymru, gan gynnwys Trwyddedu Morol a Bywyd Gwyllt a Iechyd Coed a Phlanhigion? Sut y gellid eu gwella?:

Dylid dysgu o'r profiad gyda 'Glastir'. Mae'r ardaloedd tirol a morol yng Nghymru yn amrywio'n fawr iawn - dyna un o nodweddion hynod ein gwlad. Mae ceisio gor-reoli canolog gweithredol newn unrhyw faes amgylcheddol yn rwym o arwain i fethiannau. Dylai'r drefn newydd ganolbwyntio ar sefydlu egwyddorion cyffredinol yn ganolog - tra'n sicrhau sensitifrwydd i wybodaeth a phrofiad mewn ardaloedd lleol.

Cwestiwn 8: Ydych chi'n cytuno â'r cynigion i gydlynu buddsoddiad Llywodraeth Cymru mewn ymchwil amgylcheddol? Sut y gallwn

Mewn egwyddor mae hwn yn fater pwysig. Mae dealltwriaeth o'r ecosystemau gweithredol yn hanfodol a rhaid cael ymchwil drwyadl a chredadwy. Dylid ceisio sicrhau fod y cyfran poblogaeth berthnasol o ariannu ymchwil gwyddonol yn cael ei weinyddu ar

eu gwella?: lefel Cymru, ac nid gan y byrddau Prydeinig - fel ar hyn o bryd. Byddai hynny yn sicrhau gwell cefnogaeth i ymchwil o safon drwy gyfrwng ein prifysgolion ayyb. Mae'r nifer o aelodau a awgrymir (sef 12) ar gyfer y bwrdd rheoli braidd yn isel, yn fy marn i. Oherwydd ystod eang cyfrifoldebau'r corff arfaethedig bydd angen i sgiliau a dosraniad cenedlaethol aelodau'r bwrdd rheoli adlewyrchu hynny. Byddai 15 neu 18 yn nes iddi. Mae gennyf beth pryder hefyd ynglyn â'r perygl o agendau gwleidyddol, yn eu hanfod tymor-byr, Llywodraeth Cymru or-bwyso ar weithrediadau'r corff newydd. Os yw'r corff newydd i lwyddo ar fater deall a rheoli amgylcheddol yng Nghymru bydd angen iddo fod a strategaeth sydd a thymor hirach o lawer na thymor unrhyw lywodraeth. Dylid nodi sut y byddid yn sicrhau'r amgen hwn.

Cwestiwn 9: Ydych chi'n cytuno â'r cynigion ynghylch statws, llywodraethu ac atebolrwydd y corff newydd? A oes unrhyw ffordd y gallem wella'r trefniadau arfaethedig?: Bydd lwyddiant/methiant y corff newydd bron yn llwyr-ddibynnol ar sut y bydd yn rhyngweithio gyda rhanddeiliaid. Er fod perthynas gyda cymunedau lleol a cyndeithas sifil yn cael eu nodi, efallai y dylid diffinio yn gliriach sut y medrir meithrin y berthynas gyda'r cyrff hyn a'r trydydd sector. Bydd angen iddynt weld y corff newydd fel partner sy'n fodlon gwranddo yn hytrach nag un sy'n gosod y ddeddf i lawr yn unig. A ddylid diffinio natur fforymau fyddai'n hwyluso'r fath waith?

Cwestiwn 10: A oes gennych unrhyw farn am y dull o weithio rydyn ni'n ei argymhell i'r corff newydd mewn perthynas â threfniadau rhanddeiliaid? Sut fyddai'n bosib inni wella'r dull hwn o weithio?: Mae hyn yn clymu yn ôl i gwestiwn 9. Er mwyn sicrhau na fydd beirniadaeth allanol o ganlyniad i hunandryddedu bydd angen tryloywder a chraffu gofalus - dyna un o'r rhesymau pam y credaf na fyddai 12 aelod yn ddigonol ar y corff rheoli. A ddylid diffinio yma sut y byddid yn ymgynghori ar lefel lleol mewn unrhyw achos o'r fath - ac y byddai'r dystiolaeth lleol o bwys wrth lywio unrhyw benderfyniad (yn unol a'r egwyddor o reolaeth ecosystemau, mewn difri)? I fod yn llwyddianus bydd angen i'r corff newydd fod a pharch a hyder cymunedau o'r dechrau. Heb hynny, byddai'n colli'r elefen o fod yn gorff credadwy sy'n genwud penderfyniadau call yn fuan iawn.

Cwestiwn 11: Beth yw eich barn am agweddau o'r trefniadau rheoleiddio?: Mae gweithrediad llwyddianus y corff yn mynd i ddibynnu yn llwyr ar sut y bydd a berthynas rhyngddo a chyrff megis awdurdoldau lleol, gan gynnwys awdurdodau'r Parciau Cenedlaethol, yn gweithio. Yng nghyd-destun egwyddorion yn Cynnal Cymru Fyw (na ellir ei ysgaru o'r drafodaeth am y corff newydd) mae dadansoddi ar sail gwasanaethau ecosystem yn rhwym o godi cwestiynnau am ffiniau cyfrifoldebau'r awdurdodau unigol. Er engrhaifft, os yw Awdurdod Parc Cenedlaeth Eryri i fod yn gyfrifol am reolaeth

Cwestiwn 12: Os oes gennych unrhyw faterion cysylltiedig nad ydyn ni wedi mynd i'r afael â hwy yn benodol, defnyddiwch y lle hwn i'w nodi:

amgylcheddol ar sail y fath ddadansoddiad, daw cwestiynau sylfaenol am ail-ddiffinio ffiniau'r Parc i'r amlwg. Oni ddylai dyffrynoedd Dyfi, Conwy a Glaslyn yn gyfan fod oddi fewn i ffiniau'r Parc? Heb wneud hynny a oes sail i ddadansoddi sail ecosystem yn y dyffrynoedd hynn? A ddylai'r corff newydd fod â chyfrinoldeb i awgrymu adolygu ffiniau awdurdodau leol er mwyn sicrhau optimeiddio dealltwriaeth a rheolaeth amgylcheddol, gan y bydd y berthynas rhwng y corff newydd a'r awdurdodau hynny yn allweddol i lwyddiant y cynllun?

From: Communications [mailto:communications@wales.gsi.gov.uk]
Sent: 10 April 2012 12:00
To: SEB mailbox
Subject: SEB Consultation online form

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Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept confidential, please tick the box: (Unchecked)

Your name: Iolo ap Gwynn

Organisation (if applicable): Expressing a personal view

Email/ telephone number: iolo.apgwynn@tiscali.co.uk / 01970 832 551

In principle I can see that there are many arguments in favour of unifying the operations of the three existing bodies under a single new body. It should simplify the process of consultation on any environmental issue. Nevertheless, I have concerns that the result of this may be to create a more centralised body that is less responsive to environmental needs at a local level — where these are operative. Therefore, for the new system to work, it will need to be operationally decentralised — on the basis of the principles of ecosystem management seen in ‘A Living Wales’. Wales is a mixture of ecosystems, and the local needs of those are very different from each other (for example, compare the River Dovey area with the River Taff area). To gain an understanding of the needs of such ecosystems, there has to be a wealth of local knowledge. To achieve effective management, there must be strong local links. Therefore, I would hope that the new body would develop strategies and general principles nationally while ensuring that their interpretation and implementation take place at a local level — for example through the National Park and AONB authorities.

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?

The concern I have is that full consideration is not being given to the basic principles included in ‘Sustaining a Living Wales’. If we are to operate on the basis of analysing ecosystems, those agencies that will be implementing the principles of the new single body at a local level will need to be able to manage complete ecosystems. Usually an operational ecosystem can be defined on the basis of a riverine catchment. An example of what may be necessary as a result of attempting to implement the principles of ecosystem analysis is that

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4, or any other concerns which you have?

there will be a need to re-examine the operational boundaries of bodies that are attempting to manage the environment in local areas. For example, the UNESCO designation of the Dovey Biosphere makes sense, even though the environmental management of that ecosystem is divided between several public authorities.

Question 3: What are your views on this phased approach? How could we improve on it?

It appears sensible — if challenging!

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

I feel they are sensible in essence. Nevertheless, I feel that the need for the new system to be operationally decentralised should be emphasised, and that the people who interpret the general strategies at the level of local ecosystems should operate locally. If this is to work, it will have to be an essential element of the system from the outset. Local people's local knowledge of local areas and ecosystems will be crucial to its success. The most successful authorities at present are those which have cultivated profound links with the local community and environment.

Question 5: What are your views on the approach to the delivery framework?

If it is to be successful, I believe the supply framework will have to be based on a decentralised regime. Its success or failure will be dependent on monitoring at the local level.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?

On the whole, yes. But should the principle that local knowledge, and interaction with communities, are an essential part of the structure be incorporated? (the National Parks and AONBs etc are named, but their responsibilities are not defined). In order to 'sell' the general principle of analysing ecosystems to people in their communities — as is necessary under 'Living Wales' — the way in which that is to be achieved needs defining. Otherwise, the danger is of creating an authoritative central body that will alienate the communities. That would be disastrous.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?

The experience with 'Glastir' should be learned from. The terrestrial and marine areas of Wales vary greatly — that is one of the notable features of our country. An attempt at central operational over-management in any environmental field is bound to lead to failures. The new system should focus on establishing general principles centrally — while ensuring sensitivity to knowledge and experience in local areas.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research?

In principle this is an important issue. Understanding of the operational ecosystems is essential, and exhaustive and credible research must be conducted. The attempt should be made to ensure that the relevant population portion of scientific research funding is administered at a

How could we improve them?

Welsh level, and not by the British boards — as at present. That would ensure better support for quality research through our universities etc.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?

The suggested number of management board members (12) is rather low, in my view. Because of the wide range of the planned body's responsibilities, the board members' skills and geographical distribution will need to reflect that. 15 or 18 would be nearer the mark. I also have some concern about the danger that the essentially short-term political agendas of the Welsh Government will weigh too heavily on the operations of the new body. If the new body is to succeed in the matter of environmental understanding and management in Wales, it will need to have a strategy that is much more long-term than the term of any government. There should be an indication of how this need will be met.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?

The success or failure of the new body is almost wholly dependent on how it will interact with stakeholders. Even though the relationship with local communities and civil society is noted, there should possibly be a clearer definition of how the relationship with these bodies and the third sector can be fostered. They will need to see the new body as a partner which is willing to listen rather than one that only lays down the law. Should the nature of forums that would facilitate such work be defined?

Question 11: What are your views on the aspects of the regulatory arrangements?

This ties in with Question 9. In order to ensure that there is no external criticism as a result of self-licensing, transparency and careful scrutiny will be needed — that is one of the reasons I believe a management body of 12 members would not be adequate. Should there be a definition here of how consultation would be conducted at local level in any such case — and that the local evidence would be important in guiding any decision (in accordance with the principle of ecosystem management, in all seriousness)? To be successful, the new body will need the respect and confidence of the communities from the outset. Without these, it would very soon lose the element of being a credible body that made sensible decisions.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

The successful operation of the body is going to depend wholly on how the relationship between it and bodies such as local authorities, including the National Park authorities, works. In the context of the principles of 'Sustaining a Living Wales' (which cannot be divorced from the discussion about the new body), analysis on the basis of ecosystem services is bound to raise questions about the boundaries of the individual authorities' responsibilities. For example, if the Snowdonia National

Park Authority is to be responsible for environmental management on the basis of such an analysis, fundamental questions about redefining the Parks' boundaries will become apparent. Should not the vales of Dovey, Conwy and Glaslyn be wholly within the Park's boundaries? Without that, are there any grounds for analysing the basis of an ecosystem in these valleys? Should the new body have a responsibility to suggest reviews of authority boundaries in order to ensure the optimisation of environmental understanding and management, given that the relationship between the new body and those authorities will be a key to the success of the scheme?

From: Communications [communications@wales.gsi.gov.uk]

Sent: 12 April 2012 10:45

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Andrew Graham

Organisation (if applicable):

Email / telephone number:

angrhm@globalnet.co.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

Not a good idea. Cost savings are always a good idea but there is an enormous difference in outlook between the two development oriented bodies (EA and FC) and CCW which has expertise in preserving biodiversity, habitats and eco resources in the wider sense. CCW should be maintained at arms length from the other organisations and should oversee and 'police' the development activities of FC and EA. The environment must come first. The consultation document is filled with phrases such as 'the need to modernise regulation'. That is a pathetic waste of words and means nothing. You persist in the fashionable but non-sensical use the expression 'sustainable development' and even redefine the meaning to include 'social justice and equality of opportunity' Surely you must understand that words cannot be redefined to suite your convenience? It is crystal clear that development is at the expense of the natural environment - a finite resource - and is inherently unsustainable. This fact appears to be inconvenient to the Welsh Government.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Already covered. I would query the whole idea of a nationalised timber production. What's next for nationalisation? shops? I know the history but I feel it is time for timber production to be privatised. I am not advocating the sale of public land which should be managed for nature conservation and public enjoyment.

Question 3: What are your views on this phased approach? How could we improve on it?:

Don't do it at all.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

If you go ahead with this merger then there has to be some mechanism for ensuring that biodiversity comes first and is not a token add on which gets ignored in practice. Biodiversity is irreplaceable and we are currently losing species at an alarming rate. What future is there for *Anania funebris* (a UKBAP moth) in North Wales? What future for *Rheumaptera hastata* - down to one colony in NW Wales? These and many other species which were common in living memory are being lost due to unsustainable development. Please address this issue and do not weaken the only Government body that has any idea as to what is going on.

Question 5: What are your views on the approach to the delivery framework?:

no comment

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

As I've already commented, government should not be involved in producing and marketing timber. Theory and practice prove that Governments are not good at business - leave it to the private sector. Woodland creation schemes sound good but in practice lead to the loss of biodiversity as the areas used are inevitably of marginal agricultural value and thus more useful for wildlife. We all know that monocultures of sitka spruce are dead ground for wildlife but even planted broadleaved trees are undesirable. If woodland is wanted it should be achieved by natural regeneration which is remarkably efficient and vastly better for biodiversity.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

no comment

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

no comment

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

no comment

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

The idea of stakeholders sounds good but really achieves little and costs plenty. The average person cares but has no say in what happens.

Question 11: What are your views on the aspects of the regulatory arrangements?:

They may be co-located professionals but will they have a common goal? I think not. CCW should be given greater powers and kept separate. Self-permitting is a ludicrous concept. Why bother at all? Just let anyone do anything.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

I suspect that this whole business is to do with weakening the already feeble protection of wildlife. You should understand that we cannot go on and on developing. We must live sustainably and we should protect as much of our wildlife as possible. Why not start with the marsh fritillary which is in desperate trouble in north wales due to farm improvements.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 12 April 2012 15:30

To: SEB mailbox

Subject: SEB Consultation online form

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Your name: Phil Tidey

Organisation (if applicable): Small Woods Association

Email / telephone number: philtidey@smallwoods.org.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

As an organisation we have close to 200 members in Wales, virtually all woodland owners, owning on average 10-15ha. We are concerned that the proposed changes do not affect access to advice and grant support for small woodland owners. Currently small woodland owners see FCW woodland officers as a valuable source of advice (as opposed to larger landowners who often employ professional foresters or management companies) and we would not be happy to see this changed or removed under a new regime. In particular FCW staff can provide advice on productive economic forestry, which 'generalist' environmental staff might not be in a position to supply. Many small woodland owners own only woodland, and if increasingly forestry grants are focused on a larger 'landscape' scale and merged with environmental stewardship funding support for those who own only small woodlands might become more difficult and complicated to access. Over the last couple of years we have been working closely with the excellent woodlands for people teams in FCW and CCW to deliver a woodland health programme, and we would be very concerned if this visionary approach in both organisations suffered through a merger with the much larger EAW, which could have different priorities. Equally we have worked closely with FR social science staff in Wales, and are concerned that this expertise is not lost. We would not like to see access to this valuable team (and others in shared services) lost on the altar of more independence for Wales.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

We would like to see a presumption that certain shared services continue to be 'bought in' from FCGB and FR unless they can be better provided in Wales. We would also wish to see provision made when structuring front line teams to retain specialised economic forestry advisers who can be accessed readily by woodland managers, and not employ just more generalist environmental advisers.

Question 3: What are your views on this phased approach? How could we improve on it?:

The phase approach is reasonable, although as an organisation we would have wished to have had an opportunity to comment earlier.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Yes, subject to comments above.

Question 5: What are your views on the approach to the delivery framework?:

Reasonable

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Yes

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

As mentioned above we would not wish to see links cut with the shared FCGB services, certainly it is essential for tree health to continue to have a GB dimension - diseases and pests do not stop at the border.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Yes

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Yes, but we are concerned that forestry interests are not 'lost' amidst environmental objectives.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

What arrangements will be put in place to enable stakeholder input to delivery of woodland based benefits?

Question 11: What are your views on the aspects of the regulatory arrangements?: Fine

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:12
To: Moss, Carrie (DESH)
Subject: FW: Green Paper

Debbie Westlake
Tîm Cyfathrebu/Communication Team
Rhaglen Cymru Byw/Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk
Tel: 02920 821575

From : Lis Harris [mailto:oceanlis2000@yahoo.co.uk]
Sent: 02 March 2012 10:54
To : Living Wales
Subject: Green Paper

Dear Sir or Madam

I am writing to you regarding your Green Paper, Sustaining a Living Wales.

I am glad to see that all the environmental agencies will be merged, working together for the good of Wales.

I would however like to comment on the issue of why safeguarding and enhancing our environment and biodiversity is important.

1. People

People enjoy walking in a scenic environment where biodiversity is high; this enhances a person's life and makes them happier, this is important when it comes to work- a happy

person works better

2. Tourism

As the world and economic situation continues to deteriorate it is important to promote Wales as a safe, clean and healthy environment for day trips or longer holidays. I myself now stay in Wales, mainly because of the environment and biodiversity especially important on Nature Reserves, sites of SSSI etc. Indeed as a keen photographer I am looking especially for sites where rare plants and insects are present. Much more can be done to promote our excellent sites e.g., on on-line forums, clubs, societies and to introduce children to them within the school curriculum.

3. Pollination and food security

The more work I do in this area the more I am convinced that we need to ensure that we have a wide range of insect pollinators to pollinate our plants, including our crop plants. Insects differ in for example the length of their tongue so different insect species pollinate different plants. The more diversity in our insect populations the better it is for pollination.

It is important that all the people of Wales are proud of their countryside and rural heritage and as the rest of the world declines we can say we have protected our environment and increased our biodiversity.

With Best Wishes

Yours Sincerely

Dr Elisabeth A. Harris

Powys Flora Conservation

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:12
To: Moss, Carrie (DESH)
Subject: FW : Be a champion for nature conservation in Wales

Debbie Westlake
Tîm Cyfathrebu/Communication Team
Rheglu Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : fiona.frank@uwclub.net [mailto:fiona.frank@uwclub.net]
Sent: 03 March 2012 10:43
To : Living Wales
Subject: Be a champion for nature conservation in Wales

Dear Welsh government,

I am writing to say that a body to protect our environment here in Wales is a very welcome prospect; BUT ONLY if protected sites are retained and improved AND that the assurance that species and habitats are given the support they require and can recover in Wales:
AND that the body recognises that the environment is worth saving, irrespective of whether the benefits to us are obvious or can be measured financially. Please don't go down that cul-de-sac. That will not only harm wildlife but ultimately the lives of homo-sapiens.

I feel enormously privileged to live in such a beautiful country and regularly enjoy firsthand appreciation of the wildlife here in Wales.

We so badly need to preserve such a rich heritage, not just for ourselves but for generations to come.

May I add that non-littering awareness needs to be addressed from children to adults. It is commonplace for adults to throw cans and litter out of vehicles all over the countryside. Steep fines would help and I am sure that would be quite lucrative!

Yours sincerely,

Fiona Frank

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:13
To: Moss, Carrie (DESH)
Subject: FW : Response to Sustaining a Living Wales

Debbie Westlake
Tîm Cyfathrebu/Communication Team
Rheglu Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : Kenjosephmaurice@aol.com [mailto:Kenjosephmaurice@aol.com]
Sent: 03 March 2012 17:18
To : Living Wales
Subject: Response to Sustaining a Living Wales

Dear Welsh Government,

I understand that you are taking consultation responses on the Green Paper published on 30th January called Sustaining a Living Wales. I am very concerned about the declines of biodiversity in Wales and am also concerned that plans for improving the declines will not be met. I would call upon the Welsh Government to take this opportunity to deliver an Environment Act that protects and restores biodiversity in Wales for us all to enjoy and be proud of. I also wish to make the following points on this paper;

- Protected sites must be retained and improved to ensure that important wildlife sites are protected for future generations to enjoy.

Although there aren't specific proposals, the Green Paper does give some worrying hints that the Welsh Government wishes to make changes to the bedrock of the nature conservation framework – the protected sites that represent the jewels in the crown of Wales' natural environment. In particular, the future of our nationally important wildlife sites – Sites of Special Scientific Interest (SSSIs), and sites of European importance, are put into question. These are fundamental to healthy ecosystems throughout Wales.

I strongly oppose any move to downgrade the protection afforded our best sites for wildlife. I would like the existing suite of protected sites to be extended to achieve an ecologically coherent network, capable of supporting biodiversity throughout the countryside and our seas.

- Ensure that species and habitats are given the support they require to survive and recover in Wales.

As well as protected sites, action is needed to support all species and habitats, but particularly those that are under pressure. This has been recognised through the Wales Biodiversity Action Plan but if these species are to survive and recover in Wales, land managers, developers and regulators, not just conservation bodies, will have to do their bit.

- Include the recognition that the natural environment is worth saving irrespective of whether the benefits to us are obvious or can be measured financially.

The Green Paper emphasises the value of 'ecosystem services' - those benefits that people gain from the natural environment, e.g. food, clean water, climate regulation, etc. One of its aims is to make sure that the value of these services is better recognised in policy and regulatory decisions in Wales, which I welcome.

However, focusing solely on ecosystem services, and the utilitarian value of nature, might suggest there is no case for protecting some species. For example, if people can't find an obvious 'use' for lapwings or curlews or shrill carder bees or spreading bellflowers, then how do we justify their continued protection? The Green Paper only makes one reference to the intrinsic value of nature - this must be strengthened to better reflect the right of other species to exist and our obligation to protect them.

- The Welsh Government is also consulting on the new Body that will oversee this new approach to Wales' natural resources. This will be created by amalgamating the Countryside Council for Wales, Forestry Commission and the Environment Agency. I would ask the Welsh Government to ensure that the new body is a true champion for nature conservation not just an ineffective, expensive and cumbersome quango.

I live in Caernarfon and have been worried about declining biodiversity in Wales, particularly this area of North Wales for some time. I would like to impress upon you the vital importance of this Act to reverse declines and build biodiversity up to levels that show Wales has healthy and booming wildlife and natural resources.

Thank you for your time.

Yours sincerely,

Ken Maurice, Treflys, North Road, Caernarfon, Gwynedd, LL55 1BE

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:13
To: Moss, Carrie (DESH)
Subject: FW: Response to Sustaining a Living Wales

Debbie Westlake

Tîm Cyfathrebu/Communication Team
Rheglu Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : JUSTIN ALDRED [mailto:j.aldred101@btinternet.com]
Sent: 04 March 2012 12:17
To : Living Wales
Cc: jonathan.cryer@rspb.org.uk
Subject: Response to Sustaining a Living Wales

Dear Sirs

I am a supporter of the RSPB, and have heard through them that you are creating a new body to oversee Wales' natural resources.

We are anxious that the new body will take into consideration the conservation and development of the great variety of plant and animal life that we are lucky enough to inherit here. It would be easy to pay attention only to those aspects that affect the population and ignore the needs of the wild life that exists in our woods and wild places.

This variety is essential since it provides for the needs of all our native creatures.

Please ensure there are enough specialist biologists, botanists and zoologists to give proper consideration to the wider welfare of Nature in its entirety.

I expect the RSPB would be pleased to help in any way possible.

I wish you every success in your endeavours to set up this new Body to care for Wales' wild life. Already this small country enjoys thousands of visitors annually who come because the landscape is still beautiful and so natural. Let's keep it that way!

J A Aldred

PS The welfare of our coastal waters should also be represented on this new executive. Our wonderful Cardigan bay must be cared for.

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:13
To: Moss, Carrie (DESH)
Subject: FW: Response to Sustaining a Living Wales

Debbie Westlake

Tîm Cyfathrebu/Communication Team
Rheglu Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : Alan Williams [mailto:a.williams530@btinternet.com]
Sent: 04 March 2012 20:22
To : Living Wales
Cc: jonathan.cryer@rspb.org.uk
Subject: Response to Sustaining a Living Wales

Hello

I would like to make some points in response to the Green Paper. The central proposal appears to be to move to an 'ecosystems approach' to managing the environment and natural resources in Wales. I agree that if this is done properly the proposals could promote nature conservation and encourage the sustainable use of our natural resources.

I am however very concerned that the paper is virtually silent when it comes to plans for how the Welsh Government will improve the delivery of nature conservation in order to halt and reverse the declines in Wales' biodiversity – something that is fundamental if we are to see the restoration of healthy, resilient ecosystems.

In particular I urge the Assembly to commit to the following priorities:

- Protected sites must be retained and improved to ensure that important wildlife sites are protected for future generations to enjoy.

- Ensure that species and habitats are given the support they require to survive and recover in Wales.

As well as protected sites, action is needed to support all species and habitats, but particularly those that are under pressure. This has been recognised through the Wales Biodiversity Action Plan but if these species are to survive and recover in Wales, land managers, developers and regulators, not just conservation bodies, will have to recognise their responsibilities and act in the interests of meaningful respect for the natural world

- Include the recognition that the natural environment is worth saving irrespective of whether the benefits to us are obvious or can be measured financially.

The Green Paper emphasises the value of 'ecosystem services' – those benefits that people gain from the natural environment, e.g. food, clean water, climate regulation, etc. One of its aims is to make sure that the value of these services is better recognised in policy and regulatory decisions in Wales, which we welcome.

However, focusing solely on ecosystem services, and the utilitarian value of nature, might suggest there is no case for protecting some species. For example, if we can't find an obvious 'use' for lapwings or curlews or shrill carder bees or spreading bellflowers, then how do we justify their continued protection?

The Green Paper only makes one reference to the intrinsic value of nature – this must be strengthened to better reflect the right of other species to exist and our obligation to protect them.

- I understand that the Welsh Government is also consulting on the new Body that will oversee this new approach to Wales' natural resources. I again urge you to ensure that the new body is a champion for nature conservation.

Thank you for your time and attention and I hope we have new policies that will protect and nurture the very special biodiversity that Wales gifts to us all. I live by the Rhymney River and amongst many wonders I have had the privilege of watching Kingfishers fly and fish before by own eyes. Just a single example of the gifts we all must protect.

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:14
To: Moss, Carrie (DESH)
Subject: FW : Response to Sustaining a Living Wales.

Debbie Westlake
Tîm Cyfathrebu/Communication Team
Rheglu Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : BarryLockhart@aol.com [mailto:BarryLockhart@aol.com]
Sent: 05 March 2012 11:41
To : Living Wales
Cc: jonathan.cryer@rspb.org.uk
Subject: Response to Sustaining a Living Wales.

Dear Sirs.

I have read the data regarding the above and, as a citizen of Wales, I would advise you as follows:-

- (1) Protected sites must be retained and improved to ensure that important wildlife sites are protected for future generations to enjoy.
- (2) You must ensure that species and habitats are given the support they require to survive and recover in Wales.
- (3) You must ensure that the new Body that will oversee this new approach to Wales' natural resources "is a champion for nature conservation."

I have seen first hand habitat lost in Llangernyw, North Wales. So-Called "Low cost housing for a working member of the community" enabled a Four Bedroom Detached two Storey house, with two bathrooms, a conservatory, and a garage" to be built on virgin meadow land. "Protection of Welsh environment/habitat?" I DON'T THINK SO!

Look forward to a real reply, without the usual PC "Buzz" words and phrases of the day.

Regards,
Barry Lockhart.

North Wales.

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:14
To: Moss, Carrie (DESH)
Subject: FW: Response to Sustaining a Living Wales

Debbie Westlake

Tîm Cyfathrebu/Communication Team
Rheglu Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : Peter and Pat Dawson [mailto:peter.l.dawson@ntlworld.com]

Sent: 13 March 2012 13:20

To : Living Wales

Subject: Response to Sustaining a Living Wales

With regard to the Green Paper on Sustaining a Living Wales, it is pleasing that the Welsh Government attaches such importance to issues of conservation and biodiversity. However, the proposals do seem to contain a worrying emphasis on the use and exploitation of the natural environment. Obviously in an agricultural nation, and one that depends on tourism, these points are important. If the environment in Wales and its enormous range of plants and wildlife are to be preserved, however, certain points are vital.

Protected sites must be retained and improved to ensure that important wildlife sites are protected for future generations to enjoy. The nature conservation framework must remain intact, and the future of SSSIs and sites of European importance must not be endangered for what are sometimes the short term aims of development. Species and habitats must be given the support they require to survive and recover in Wales. As well as protected sites, action is needed to support all species and habitats, but particularly those that are under pressure. This has been recognized through the Wales Biodiversity Action Plan but if these species are to survive and recover in Wales, land managers, developers and regulators, not just conservation bodies, will have to do their bit.

It must be recognized, and this point is central, that the natural environment is worth saving irrespective of whether the benefits to us are obvious or can be measured financially. The Green Paper emphasizes the value of 'ecosystem services' – those benefits that people gain from the natural environment, e.g. food, clean water, climate regulation, and so forth. One of its aims is to make sure that the value of these services is better recognized in policy and regulatory decisions in Wales, which we welcome. However, focusing solely on ecosystem services, and the utilitarian value of nature, might suggest there is no case for protecting some species. For example, if we can't find an obvious 'use' for lapwings or curlews or shrill carder bees or spreading bellflowers, then how do we justify their continued protection? The Green Paper only makes one reference to the intrinsic value of nature – this must be strengthened to better reflect the right of other species to exist and our obligation to protect them. Otherwise the term Sustainable Development is merely a cynical piece of PR-speak!

The Welsh Government is also consulting on the new Body that will oversee this new approach to Wales' natural resources. This will be created by amalgamating the Countryside Council for Wales, Forestry Commission and the Environment Agency. The new body must be a champion for nature conservation and not an ally of developers.

As someone who has lived all his life in Wales I feel very strongly that a balance must be struck between the needs of humanity and the needs of nature. This Green Paper was an opportunity to do this, but worryingly we seem more concerned with short term economic benefits than the long term picture. We have seen enough evidence in our country of where this approach can lead.

Regards

Peter Dawson , Swansea

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:14
To: Moss, Carrie (DESH)
Subject: FW: Responce to Sustaining a Living Wales

Debbie Westlake

Tin Cyfathrebu/Communication Team
Rhaglen Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : S KELLY [mailto:sheilakelly767@btinternet.com]

Sent: 10 March 2012 14:28

To : Living Wales

Subject: Responce to Sustaining a Living Wales

Dear Sir,

I have lived in Wales for over 30 years, and my main reason for coming was my great interest in the very diverse wild life to be enjoyed here.

I understand the Welsh Government is creating an amalgamation of three agencies, Countryside Council for Wales, Forestry Commission and Environment Agency. Will the new Body give nature conservation the priority it deserves! Wales needs protected sites to be retained and improved in order for future generations to enjoy.

Our natural environment is so precious, it cannot be measured in terms of finance.

Yours sincerely,

Sheila Kelly-Aberdyfi

From: Westlake, Debbie (DESD)
Sent: 17 April 2012 11:34
To: Moss, Carrie (DESH)
Subject: FW: Response to Sustaining a Living Wales
1 of 2 on their way Carrie!
Debbie

Debbie Westlake
Tîm Cyfathrebu/Communication Team
Rhaglen Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk
Tel: 02920 821575

From : Cedric Lynch [mailto:cedric.lynch@yahoo.co.uk]
Sent: 16 March 2012 16:35
To : Living Wales
Cc: jonathan.cryer@rspb.org.uk
Subject: Response to Sustaining a Living Wales

Sir, While being in agreement with an integrated approach to protect and sustain the environment and natural resources here in Wales, it is essential that any new body, which might be formed by an amalgamation of C.C.W., the Forestry Commission and the Environment Agency, is strong enough to resist political control, which all too often can be at odds with environmental needs.

The guiding voice from such a group must be a major factor in shaping any planning and development proposals. In particular S.S.I.s, and designated European conservation areas must be sacrosanct and protected from damaging intrusions.

Preserving the last named sites is important from economic as well as environmental needs, many of these sites and areas play a major part in attracting tourists and visitors to Wales, which together with farming forms the forefront of our economy.

Cedric Lynch.

From: Westlake, Debbie (DESD)
Sent: 16 April 2012 15:15
To: Moss, Carrie (DESH)
Subject: FW: Green Paper on merging of CCW, Forestry Commission, et al

Debbie Westlake

Tîm Cyfathrebu/Communication Team
Rhaglen Cymru Byw /Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gov.uk

Tel: 02920 821575

From : Carole Jacob [mailto:carole.jacob48flc@ntlworld.com]
Sent: 20 March 2012 19:10
To : Living Wales
Subject: Green Paper on merging of CCW, Forestry Commission, et al

As a member of Friends of the Earth who has actively campaigned against a local greenfield site in the Local Development Plan for 16 years, and beginning to see a significant change in council members' thinking and actions in respect of the plan, my concern is that a "one stop shop" for consultation, which will speed up planning applications, but may, as in my own case, with the benefit of hindsight, be deemed unsuitable. Local planners have maintained that the plan and subsequent planning application to be sustainable, which local people have challenged. It appears to us that sustainability criteria is set too low in the planning system, and that with a little bit re-configuration can be met, but the spirit of the legislation to support sustainability has been ignored.

Furthermore, the ability for the ordinary member of the public to contest unsuitable plans at public inquiry level will be severely jeopardised if set against a one-opinion, massively constituted, body such as the one under consideration in the Green Paper.

Other questions arise:

- 1 What consultations have taken place with landowners, particularly in relation to the pressure for housing development on greenfield land and naturally sees the opportunity to maximise the profitability of their land holdings.

2 Land management on privately owned land has sometimes seemed to be in conflict with ecologists, but there is no opportunity to have an influence on correct methods, or indeed an agreement on appropriate strategies. How can this be changed in the new system?

3 How serious have the consultations been in the question of food security in Wales in relation to humane farming methods and fisheries policies, (the EU fisheries policies under review is not sufficiently addressing this) ,both of which have consequences for biodiversity and sustainability.

I hope that you will be able to take on board my concerns and would welcome your reassurances on these matters.

Yours sincerely

Carole Jacob

From: Westlake, Debbie (DESD)
Sent: 17 April 2012 11:34
To: Moss, Carrie (DESH)
Subject: FW: Response to Sustaining a Living Wales

From : sandra MORGAN [mailto:sandie@wedlock111.fsnet.co.uk]
Sent: 04 April 2012 09:51
To : Living Wales
Cc : jonathan.cryer@rspb.org.uk
Subject: Response to Sustaining a Living Wales

I urge the Welsh Government to take this crucial opportunity to deliver an Environment Act that truly protects and restores biodiversity in Wales. It is vital that we have the highest standard of nature conservation in order to halt and reverse the declines in Wales' biodiversity both in the countryside and our seas: something that is fundamental if we are to see the restoration of healthy, resilient ecosystems.

Resources invested in such conservation are an investment in the future of Wales both in terms of providing a sustainable quality environment for future generations to enjoy but also, in economic terms, for the future of tourism in Wales. It is thus vital that SSSI 's are protected and extended to recognise their fundamental importance to healthy ecosystems in Wales and the Welsh economy.

I would also like to take this opportunity to urge the Welsh Government to ensure that the new body that will emerge through the proposed future amalgamation of the Countryside Council for Wales, Forestry Commission and the Environment Agency is a true and strong champion for nature conservation.

The Welsh environment is an unique and wonderful resource that we abuse at our peril: please take this opportunity to ensure that our precious species and habitats are given the vital support they require to survive and flourish for the sake of all our futures.

Yours sincerely

--

Sandra Morgan

From: Huw Brunt (Public Health Wales) [Huw.Brunt@wales.nhs.uk]

Sent: 13 April 2012 10:33

To: SEB mailbox

Subject: FW: Natural Resources Wales Consultation Response

Attachments: Natural Resources Wales consultation response.doc

Carrie

Please see below.

Regards

Huw Brunt
Consultant in Environmental Health Protection

Health Protection Team, Public Health Wales, Temple of Peace and Health, Cathays Park, Cardiff CF10 3NW

Ym gynghorol, Tŷ Ddogelwch Iechyd, Y Ddem i Iechyd a Heddwch, Parc Cathays, Caerdydd CF10 3NW

Tel/Ffon: 02920 402478 W HTN : 1809 2478

M obile/Sym udol: 07817872577

E-m ail/E -bost: huw.brunt@wales.nhs.uk

Internet R hyngwyd: www.publichealthwales.org

From : Huw Brunt (Public Health Wales)

Sent: 13 April 2012 10:29

To: 'SEB@wales.gsi.uk'

Cc: Marion Lyons (Public Health Wales); Hilary Fielder (Public Health Wales, 14 Cathedral Rd); Sarah Jones (Public Health Wales); Anna Humphries (Public Health Wales); Chris Lines (Public Health Wales); Lindsey Baber (Public Health Wales); Hugo van Woerden (Public Health Wales); Peter Bradley (Public Health Wales); Bob Hudson (Public Health Wales); Mark Dickinson (Public Health Wales)

Subject: Natural Resources Wales Consultation Response

Dear Carrie

Please find attached Public Health Wales' response to the above consultation.

Kind regards

Huw Brunt
Consultant in Environmental Health Protection

Health Protection Team, Public Health Wales, Temple of Peace and Health, Cathays Park, Cardiff CF10 3NW

Ym gynghorol, Tîm Dîogelwch Iechyd, Y Ddem i Iechyd a Heddwch, Parc Cathays, Caerdydd CF10 3NW

Tel/Ffôn: 02920 402478 W HTN : 1809 2478

Mobil/Symudol: 07817872577

E-mail/E-bost: huw.brunt@wales.nhs.uk

Internet/Rhyngwyd: www.publichealthwales.org



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Iechyd Cyhoeddus
Cymru
Public Health
Wales

Tim Amdiffyn Iechyd

Iechyd Cyhoeddus Cymru, Y Deml Iechyd a Heddwch
Parc Cathays, Caerdydd, CF10 3NW

Health Protection Team

Public Health Wales, Temple of Peace and Health
Cathays Park, Cardiff CF10 3NW

Ffôn/Tel: 029 2040 2478 · Ffacs/Fax: 029 2040 2503

Gwefan/Web: www.iechydcyhoedduscymru.org

www.publichealthwales.org

13th April 2012

Carrie Moss
Living Wales Programme Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Dear Carrie

Natural Resources Wales Consultation

Public Health Wales welcomes the opportunity to respond to this consultation document.

The concept of bringing together three separate bodies to create a single environmental body for Wales is we agree, in principle, sensible. It is evident that this has the potential to generate a number of effectiveness and efficiency benefits as outlined in the proposal. In addition, the creation of such a body in Wales may lead to a greater degree of autonomy in decision making and implementing powers and actions to protect and improve the environment locally, regionally and at an all-Wales level. This approach might also assist external stakeholders by ensuring fewer points of contact and simpler access to more integrated services.

That said, given the significant influences that environmental factors can have on health, well being and quality of life in the broadest sense, I would like to take this opportunity to provide some additional comments.

The issues I raise below relate primarily to the existing functions of, and services provided by the Environment Agency Wales, an organisation with which Public Health Wales has developed extremely close working relationships. My comments focus on key work areas of mutual interest that cover industrial regulation, reducing the impact and effects of pollution, preventing or remedying the effects of incidents and emergencies, protecting public health and wellbeing, climate change mitigation and adaptation (including flood risk management) and the provision of specialist advice, and are provided below:

- **Industrial regulation and reducing the impact and effects of pollution**

Public Health Wales and the Health Protection Agency currently work on behalf of Health Boards in Wales to provide responses to queries around proposed developments and applications to the Environment Agency for environmental permits. I understand that the permitting function will, in



future, be overseen by one Wales office when the proposed new structure is implemented. A relocation of the permitting office should mean no changes to existing public health systems and arrangements and would probably lead to a tighter response mechanism to highlight potential public health impacts associated with proposed industrial developments in Wales. It is important that the regulatory responsibilities of the new body consider not just emissions to air, land and water since these may have direct adverse health effects, but also other emissions (e.g. noise, odour, dust etc.) that might impact indirectly on health, wellbeing and quality of life through annoyance and nuisance.

Public Health Wales continues to work closely with the Environment Agency when public health problems or breaches of existing permit conditions are identified at regulated sites. No details are provided in the consultation document about how the new body will liaise, and communicate such problems with public health agencies but given that a number of 'Working Together Agreements' have historically been developed jointly to cover this issue, I assume that these will not be affected significantly by the creation of the single body in Wales. Clarification on this point would be appreciated.

- **Preventing or remedying the effects of incidents and emergencies**

Public Health Wales, like the Environment Agency, is a Category 1 responder agency under Civil Contingencies law. Thus, both organisations work together to contribute to and support multi-agency incident response.

Given the often high profile status afforded to incident response functions and the significant role the Environment Agency has to play in this, I am concerned about the lack of emphasis given to this area of work in the consultation document. The Environment Agency is currently responsible for maintaining and delivering the England and Wales Air Quality Cell service, a key incident response resource that provides ambient air quality data upon which Public Health Wales and STAC are dependant to undertake population health risk assessments. It is not clear whether this resource will continue to be available in Wales after the creation of the new single body. If this resource is lost, then this will have serious repercussions in Wales and would further compromise the multi-agency capability to respond effectively to incidents. It is not at all clear whether the existing Air Quality Cell service will continue (funded by Defra for implementation in England *and* Wales), whether Wales will share the resource in England or whether totally new Wales-only arrangements and services will be developed. Public Health Wales, Health Protection Agency, Welsh Government and local authorities need to understand how this issue and the wider concern of environmental sampling and monitoring capability more generally (already regarded as variable, insufficient, and a source of confusion in Wales) will be addressed and improved through the proposed new structures.

Similarly, no mention is made of the Environment Agency's [air quality] Mobile Monitoring Facility resource which also provides useful data on atmospheric emissions from regulated sites. Again, this information is essential in informing risk assessments undertaken in response to ongoing public health-related concerns.

In addition, in previous simulated emergency planning exercises and actual incidents (such as the Fforestfach tyre fire in Swansea) where a Scientific and Technical Advice Cell (STAC) has been convened, Environment Agency colleagues have engaged and made significant contributions. I assume that this commitment will continue under the proposed new arrangements; clarification on this point would also be much appreciated.

- **Provision of specialist advice**

Environment Agency experts regularly provide specialist advice to inform responses to public health-related issues in Wales. This is often the case for Welsh Government Ministerial queries and was certainly the case in the recent Hanson Cement public health investigation in North Wales. Understandably, there are relatively few experts in some disciplines or areas of work within the Environment Agency able to provide such specialist advice. On occasion, therefore, it is necessary for Welsh colleagues to seek specialist information from experts within the Environment Agency in England or perhaps further afield. Examples of this include waste management facilities and other developing processes such as hydraulic fracturing or 'fracking'. Again, no mention is given to this important function and resource within the consultation document and I should be grateful if confirmation could be given that public health agencies in Wales would continue to access specialist advice outside of Wales via colleagues working within the proposed new body.


In addition to the above, a more general point I would like to make relates to the consultation document's numerous references to the new body removing duplication and triplication to make substantial savings. As stated above, whilst this is very much welcomed, there is no mention of how functions that the new body inherits could be further enhanced over time or whether there is scope to develop new services or specific projects (and how these might be funded) such as any new Wales-specific Air Quality Cell resource.

I am conscious that my comments are focused on health protection-related issues. I recognise that there are aspects of the consultation that have the potential to improve public health across Wales in its broadest sense e.g. improving health, quality of life and wellbeing through increasing access to, and use of, the environment for outdoor recreation. Such statements are welcomed by Public Health Wales.

I trust these comments are of use to you. Should you have any queries or require clarification on any of the points raised above, please do not hesitate to call Huw Brunt, Consultant in Environmental Health Protection, on 02920 402478.

I look forward to hearing from you.

Yours faithfully



Dr Marion Lyons
Director of Health Protection

From: Peter Rutherford [Peter.Rutherford@eryri-npa.gov.uk]

Sent: 13 April 2012 10:52

To: SEB mailbox

Attachments: Consultation response 04 12.docx

Hi Carrie.

Please find the response to the Natural Resources Wales Consultation from both of our National Park Local Access Forums. i.e. the Southern Snowdonia Local Access Forum and the Northern Snowdonia Local Access Forum.

If you have any queries then please get back to me.

Many thanks

Peter R

Peter Rutherford

Swyddog Mynediad - Access Officer

Awdurdod Parc Cenedlaethol Eryri - Snowdonia National Park Authority

01766 772258

peter.rutherford@eryri-npa.gov.uk

www.eryri-npa.gov.uk

Dilynwch ni:

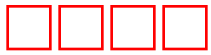


Mae'r e-bost hwn ac unrhyw atodiad iddo yn gyfrinachol ac fe'i bwriedir ar gyfer y sawl a enwir arno yn unig. Gall gynnwys gwybodaeth freintiedig. Os yw wedi eich cyrraedd trwy gamgymeriad ni ellwch ei gopio, ei ddsbarthu na'i ddangos i unrhyw un arall a dylech gysylltu â'r anfonwr ar unwaith.

Mae unrhyw gynnwys nad yw'n ymwneud â busnes swyddogol y corff sy'n anfon yr e-bost yn bersonol i'r awdur.

Arbedwch bapur, ynni ac arian - Peidiwch argraffu'r neges yma oni bai ei bod yn hollol angenrheidiol.

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Welsh Government – Consultation Document
Natural Resources Wales

**Proposed Arrangements for the Establishing and Directing a
New Body for the Management of Wales¹ Natural Resources**

Joint response from:

**Southern Snowdonia Local Access Forum and the
Northern Snowdonia Local Access Forum**

April 2012

General Comments on document:

- That the new body should provide an efficient and (prove to be) a more cost effective service than the previous 3 independent bodies.
 - That internal processes should sufficiently streamlined to reduce bureaucracy and shorten timeframes
-

Q1 There was consensus that a single environmental body was a more efficient way to deliver a more integrated natural resources management.

Q2 Additional concerns were expressed in relation to the new body's approach to supporting existing access policy and funding. It was felt that the new body should give sufficient priority to this. There was also concern that relationships with other stakeholders including NGO organisations within this sector of work should be supported and maintained.

Q3 There was agreement that a phased approach was required but that should be completed within a reasonable timeframe and should give reassurance that current responsibilities and duties are not diluted or abandoned in the interim.

Q4 Concern was raised that the proposals in the aims and outcomes should not impose any additional financial or legal burden on the private sector or other bodies within the public sector.

Q5 The delivery framework the body should be mindful of other stakeholder priorities *including those of the National Parks*.

Q6, Q7, Q8, Q9 – No comments

Q10 General comment that any process for the appointments to a `board` should be transparent. That it should include a nominee to represent all the National Parks across Wales. It should also seek to include members with wider interests. We would also welcome the establishment of (small) local committee boards.

Q11 No comments

TABLE 1

p40 – No mention of `access to water` or support for Rights of Way Improvement Plans

p42 – They recommend a completely separate section to promote the `health agenda`. Particularly its relationship to access in the countryside rather than to try to integrate this under a general heading of `public health` *per se*.

Fly Tipping Action Wales should have a higher priority in and should include a remit for general litter control.

TABLE 2

11) “*To charge for the provision of products/ services*”.

The Forums are of the opinion that the new body should seek to reduce its schedule of costs (given there will be a more efficient structure – *and is the justification for the restructuring exercise*) and that they should not impose any additional financial burden on the private sector or other bodies within the public sector.

Compiled from LAF members comments by Peter Rutherford – Secretary to both the northern and southern Snowdonia Local Access Forums - Snowdonia National Park Authority.
Following a joint sub group meeting held on the 11th April at Plas Tan Y Bwlch – Maentwrog, Gwynedd.

From: Rod & Jeanne [rod.jeanne1947@btinternet.com]

Sent: 16 April 2012 08:28

To: SEB mailbox

Subject: 'Natural Resources Wales'

I note that you have requested feedback on the consultation document regarding the 'Natural Resources Wales' and the Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources.

I have taken an overview of the document and I am left wondering just what the real objectives of the body might be. I often find it instructive to seek out the use of words within such documents as they tend to reveal much about the authors and their real objectives, or lack of. In this document, there is a liberal sprinkling of that old cliché – 'Climate Change', a warning to us all least we forget. May I suggest that you take a look at this article - <http://www.isthereglobalwarming.com/>

It then delivers a plethora of 'sustainable' and 'strategic' 'objectives' but very little evidence of the real economical benefits, that this proposed body might bring. The word 'jobs' only pops up twice, as does the word 'employment'.

The words 'climate change' – 21 times, 'objective' – 24 times, 'strategic' – 35 times and 'sustainable', an incredible 47 times.

This document suggest that you want to support the unsupportable – wind energy being one the most pernicious issues, support for a technology that fails to deliver on 'climate change' (they have to keep carbon based generators spinning and the wind is often too weak or too strong, just when you need them). The cost of the subsidies to this technology is one that we can no longer afford.

I agree with the need to reduce our dependence on imported carbon based fuel but let's look to develop our own technologies in wave power and perhaps shale gas. If this body can do that and at the same time, debunk the myths surrounding 'wind power' and save the beauty of the Welsh countryside and the huge number of jobs that supports, I may be moved to support for them.

Until then, I am left to conclude that the job prospects are excellent for those in the new body; indeed their strategic objectives look to be sustainable to pension age! As for climate change, let's drop that conundrum and get down to the real base of the situation.

Rod Trevaskus

Powys

Natural resources Wales - Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources



A response from Participation Cymru

17 April 2012
Participation Cymru
WCVA
Baltic House
Mount Stuart Square
Cardiff
CF10 5FH

An introduction to Participation Cymru

Participation Cymru is a partnership of public and third sector organisations that is managed by Wales Council for Voluntary Action and supported by an Advisory Panel that provides advice and guidance on strategic development. The panel comprises of:

- Association of Chief Police Officers in Wales
- Countryside Council for Wales
- HM Courts Service
- National Leadership and Innovation Agency for Healthcare
- National Museum Wales
- One Voice Wales
- Participation Unit, Save the Children Wales
- Tenants Participation Advisory Service Cymru
- Wales Association of County Voluntary Councils
- Wales Audit Office
- Wales Council for Voluntary Action
- Welsh Assembly Government
- Welsh Local Government Association
- Welsh NHS Confederation

Participation Cymru aims to support public service providers in their commitment to participation thus ensuring excellent public services that are vital to a prosperous, sustainable, healthier and better-educated Wales. We provide innovative training, support, information and policy directions in participatory approaches to citizen engagement.

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?

This is to be welcomed if it enables the public to better engage with these organisations. Participation and citizen engagement sits well in the Sustainable Development context. Engagement is essential to empower citizens and service users and fits in well with the social justice aspect of sustainable development. Participation Cymru enjoys a long standing working relationship with CCW and more recently with FCW. Current work includes the development of an accredited partnership programme for the Environmental Sector that will enable an enhancement of this work and will demonstrate the value and potential on one body.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?

Participation Cymru would welcome the fewer meetings and simplified stakeholder engagement arrangements that would arise from the new organisation as it should encourage transparency and mean that there is less likelihood of over-consulting stakeholders. This streamlined way of working should also encourage the organisation to work closely with others and share information with other organisations where possible.

The consultation document mentions that a Wales only body would enable more locally based decision making and accountability, but it does not explain how this would happen. The new organisation should work through existing frameworks such as Local Service Boards to ensure collaboration and information sharing.

Question 3: What are your views on this phased approach? How could we improve on it?

The phased approach is logical, but care must be taken that stakeholders and the public can scrutinise the body effectively during this time. There is a danger that opportunities to shape the organisation and services that are being provided during this period may be lost as stakeholders may be unsure who to contact. It is important that transparency is central to this process so that opportunities to review priorities and to change processes can be taken.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

The proposals outlined do provide a good basis for the achievement of strategic outcomes, but for these outcomes to be sustainable it is vital that the public are engaged and empowered. This is not mentioned in the proposals but is vital if the public are to be to buy into the outcomes.

Question 5: What are your views on the approach to the delivery framework?

It is heartening that Welsh Government have looked at how they can deliver 'More for Customers' and 'More for Staff' as part of the framework.

In terms of customers the focus on transparency is welcome as it enables customers to effectively scrutinise the body's work. Enabling customers and partnership are both principles in the National Principles for Public Engagement in Wales. If every principle is embedded into the body's work it will help to improve customer-facing outcomes. For further information please see www.partipationcymru.org.uk/Principles

The staff focus is also welcome as good staff engagement is central to good customer engagement. This will also mean that the workforce is well motivated and engaged. That staff are well trained is also one of the National Principles for Public Engagement in Wales – "Engagement is given the right resources and support to be effective."

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?

Participation Cymru is a partner within the Come Outside programme and fully supports the increased effort by the environment sector to better engage with community development.

<p>Increasing public understanding of the value of the environment and natural resources of Wales and the importance of sustainable use.</p>	<ul style="list-style-type: none"> • Supporting outdoor environmental education programmes. • Come Outside programme.
--	---

We welcome the focus on public involvement. However it is vital that this is put into action. Council meeting may be open, but how will they be made more accessible? How will the public be engaged in practice? The new body should endorse the National Principles for Public Engagement in Wales and put them into practice when working. CCW is part of the Advisory Panel, PC would be able to offer assistance.

<p>Increasing public involvement in decisions about the use and management of the environment and natural resources of Wales.</p>	<ul style="list-style-type: none"> • Community use of assets including leasing and direct management. • Water Framework Directive engagement. • Volunteering on National Nature Reserves. • Open Council meetings. • Consultation on the Clwydian Range AONB extension.
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Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?

Transparency and scrutiny

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?

It is rightly identified that independence from Welsh Government is important in order to maintain public confidence.

This accountability could be improved by using social media and other technology to send information and have conversations around issues as opposed to simply expecting customers to come and find the relevant information on the site. Stakeholder engagement is important to build on scrutiny of the body's work.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?

This approach to citizen engagement is welcomed, including the flexible approach to enable people to contribute in ways that suit them. It is vital that information that is provided is accessible and jargon free, and that feedback is provided so people know the impact of their contribution. Good communication with stakeholders is essential.

Question 11: What are your views on these aspects of the regulatory arrangements?

The approach to implement early engagement is important. The idea of co-located professionals also allows for information sharing and to work with relevant partner organisations where appropriate.

From: Tim Robins [Tim.Robins@Horizonnuclearpower.com]
Sent: 11 May 2012 14:53
To: SEB mailbox
Subject: FAO: Carrie Moss: Natural Resources Wales Consultation
Carrie,

Further to our telephone conversation earlier please accept my sincere apologies for the late submission of our comments. As discussed it would be greatly appreciated if you could incorporate Horizons submission in your consideration on the responses made to consultation document on Natural Resources Wales.

As the developer of the proposed new nuclear power station at Wylfa on Anglesey, Horizon welcomes the opportunity to comment on the Consultation Paper; Natural Resources Wales.

We value any measures that seek to simplify the regulatory and management framework on Environment and Planning processes in Wales. We believe that it will be of benefit to the regulatory process in Wales if there is a single point of contact for permissions, combined with a simplified statutory consultation process; allowing reconciliation of the conflicting views of stakeholders to the same environmental evidence base and reducing determination periods for applications.

However, as a developer of such complex projects we believe that it is imperative that the inception of the SEB does not have adverse effects on major infrastructure project programmes. This means that the arrangements in place for important advice and regulation should not be interrupted or delayed by the establishment of SEB. There are three key areas to which we feel the Welsh Government should focus additional attention:

Proposed Delivery Programme

Delivery of the proposal is on very rapid timescales. Consultation ends in May and the new SEB is vested less than a year later. We would strongly suggest considering allowing a longer period to effectively prepare for the SEB; and to allow the SEB to become an effective organisation

- A recent example of creation of a new regulator is the case of the Office for Nuclear Regulation (ONR). This involved a detailed review internally and the setting up of transition team within the regulator to start the process of acting as the new entity. Before formal vesting as an independent statutory corporation, the ONR underwent a 2 year transition period. This entailed a much simpler organisation (circa 200), narrower function (around nuclear safety). The task ahead to create SEB is much more significant in complexity and scale.
- The creation of the EA itself out of HMIP and National Rivers Authority took some time for the different entities to come together to form a coherent organisation

We note that the risk assessment on page 58 of the consultation document points to project management and flexibility in the vesting date. Experience to date that we cite above suggests that a longer vesting date should be considered.

Governance

We support the governance model proposed, whereby SEB will make regulatory decisions independently of the Welsh Government. The separation of policy setting and the technical advice is also welcomed and provides useful clarity. However we would welcome further clarity on the expectations for the SEB in regulating proposals where context is derived at least in part under national policy (e.g. around new nuclear). For example, How will the SEB balance any differences between Welsh policy and UK-wide policy?

Impact of Small Pools of Expertise

The technical expertise in SEB will be limited in key areas for us (e.g. radioactive waste regulation). For these situations, how is it envisaged that expertise will be secured? For example if expertise is to be procured for the EA how will the SEB have sufficient expertise to fully consider and manage those services which it is buying from England (e.g. thermal plume modelling)? In this situation, we are unclear where regulatory decisions will be made - by SEB or by the EA. For other specialised areas, we think it is important to have clarity on whether Wales will be able to maintain a critical pool size to ensure the necessary levels of experience and expertise are maintained within the organisation?

Once again thank you for the opportunity to comment on this consultation. Please do not hesitate to contact me for any clarification.

Kind Regards

Tim

Tim Robins

Environmental Consents Manager

01242 713720

07525 704013

Tim.Robins@Horizonnuclearpower.com

Description: <http://www.horizonnuclearpower.com/images/horizon-logo.jpg>

Registered Office: 5210 Valiant Court, Gloucester Business Park, Delta Way, Gloucester. GL3 4FE United Kingdom
Horizon Nuclear Power Limited is a company registered in England & Wales No. 6660388.

image001.png

NOT PROTECTIVELY MARKED

This email was classified by Tim Robins on 11 May 2012 14:53:05.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 18 April 2012 14:40

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: </consultations/forms/sebresponse/>

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: Louise Roberts

Organisation (if applicable):

Email / telephone number: lou.roberts@btinternet.com

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?: Good idea, as long as the three bodies have an equal voice.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

I am a forest school leader that was trained by and continues to be supported by the Forestry Commission. Recent evidence suggests that children do not use the environment around them as they should and have become the 'cotton wool' generation. Please do not allow the education part of the environment disappear, it is so important to so many.

From: Westlake, Debbie (DESD)
Sent: 11 April 2012 10:23
To: 'Sally Hall'
Subject: RE: Green Paper, Sustaining a Living Wales

Dear Sally

I am writing to acknowledge with thanks, receipt of your email dated 7 April regarding the Sustaining a Living Wales Green Paper.

Kind regards

Debbie

Debbie Westlake

Tim Cyfathrebu/Communication Team
Rhaglen Cymru Byw//Living Wales Programme
Llywodraeth Cymru/Welsh Government

Email: Debbie.Westlake@Wales.gsi.gov.uk

Tel: 02920 821575

From: Sally Hall [mailto:sally@newbuilder.co.uk]
Sent: 07 April 2012 09:15
To: Living Wales
Cc: jonathan.cryer@rspb.org.uk
Subject: Green Paper, Sustaining a Living Wales

Dear Sir or Madam, for almost twenty years we have been surveying wildlife in West Wales, mainly birds. We have witnessed worrying declines in many once common species. We sincerely hope that WAG intends to tackle the problems and reverse the declines. Wales has some unique and special habitats. If these continue to be degraded there is little hope for the future. This would be a great shame. Wildlife sites are priceless and precious. They are currently undervalued. They bring a great deal of pleasure to people, encourage walking and healthy exercise, a chance for relaxation and helping keep a balance of species ... It is the diversity here in Wales that encourages people to visit and is so vital to tourism.

- **Protected sites must be retained and improved to ensure that important wildlife sites are protected for future generations to enjoy.**
- **Ensure that species and habitats are given the support they require to survive and recover in Wales.**
- **Include the recognition that the natural environment is worth saving irrespective of whether the benefits to us are obvious or can be measured financially.**
- **The Green Paper currently emphasizes 'ecosystem services'. However, by such a focus does this mean that species that have no intrinsic value will be ignored? All species are important and interlinked. All species have a right to exist and should be protected.**
- Any new body that is formed to oversee Wales' natural resources should champion nature conservation.

Regards

Keith, Sally and Keith jnr Hall

Response to Sustaining a Living Wales

Welsh Government
Aberystwyth SY23 3UR.

Mr J Macfarlane
5 Bryn y Bia Close
Llandudno
LL30 3AQ

Supporting
British Red Cross



3rd APRIL 2012

55

Dear Sir/Madam

I write in response to your Green Paper and in support of the RSPB Cymru submission.

I would like to make the following points.

1. Sites that currently enjoy specific protection must be maintained and expanded. These are fundamental to healthy ecosystems throughout Wales.
2. It must be ensured that species and habitats, and particularly those under pressure, are given the support they require to survive and recover.
3. Any future legislation must fully recognise the value of nature in its own right and not just look at it as some form of resource to be 'used'.
4. The new body set up to oversee the new approach to Wales natural resources must be a champion for nature conservation.

I love the varied nature of Landscapes and wildlife in Wales and get out into the countryside as much as possible to enjoy it.

We must ensure that future generations will also be able to enjoy what we can today.

Yours faithfully

John Lewis

HC'D
17.4.12
DMW

Mrs. J. Storrie
9 Westward Rise
Barry
South Glamorgan
CF62 6PL



Nature Conservation & Biodiversity Branch
Welsh Government
RHODFA PADARN,
ABERYSTWYTH

13 04 2012

Dear Sir or madam

I am calling on the Welsh Government to give nature conservation the priority it deserves, yet referring to the Green Paper, which focuses disproportionately on how managing natural resources are used, you will be making things SIMPLER for developers & those requiring permits or licences for their activities!!

Protected Sites (SSCIS)
must be retained & improved to ensure that ALL wildlife are REALLY protected for all & our future generations to enjoy. (The young ones particularly) I am including

certain various species such as insects,
& birds considered by some of "no use."

How are you going to ensure
these will survive & recover in Wales,
or are they disputable when under
pressure?

Can you please confirm
that amalgamating the countryside
for Wales & The FORESTRY COMMISSION
AND THE ENVIRONMENT AGENCY are
going to protect the NATURAL
RESOURCES, which, as you state HAS
to be ^{done} properly with the co-operation
of the LAND MANAGERS, developers &
REGULATORS - NOT JUST THE CONSERVATIONISTS

Recognition that the
natural environment is worth
saving, irrespective of whether the
benefits to us are obvious or are they
to be measured financially?

I personally have returned
to Wales having spent 30 years
in an English county where
the developers would develop on
each blade of grass if financially
viable.

So please, please do not
the same to happen to my
of birth, returning as I bet
to be where one can see &
the fresh air of the country
sea, thus keeping Wales diff
from our neighbours.

Thank you lot to
to read of my grumble
yours sincerely,

Jean Stottle

PONTYPOOL PARK ESTATE OFFICE PONTYPOOL NP4 5LE

Telephone 01495 762921
Fax 01495 753330

Miss Carrie Moss
WAG Living Wales programme
Cathays Park
Cardiff CF10 3NQ

SB

10 April 2012



Natural Resources Wales WG14766

Thank you for the opportunity to comment on this document. The word from the employees of CCW, FC and EA is that WAG is determined to proceed regardless with its proposed merger, and this consultation certainly endorses that cynicism. I am neutral on the matter; we all want more efficient (and less, and cheaper) government, and a case may be made for the merger. This document does not make it. This is a pity, since it reduces my optimism that WAG can manage change effectively. If the decision is already taken, WAG may not need a case. But this is not the best way to manage change.

If the proposal for merger were to be made, it should assess how the current system is failing, wasteful or damaging, and provide a range of options for remedy. It would be normal to test these options against different likely applications: a planning application, a felling licence etc, with the usual sensitivities, and assess the options against a range of criteria including cost, efficiency and political aspirations. I read a lot of words in this document, and they are no doubt well meant, but I have not yet seen the business case for the proposal: annexe 2, 1.2 lists generalities, not an assessment of the many standard functions carried out by the separate agencies, and how they would be reproduced.

The proposal also suggests that some functions will not be transferred, largely through conflict of interest from the ownership of property. There is no need for government bodies to own large areas of land other than for their strategic requirements. It is now accepted that the Land Authority for Wales's competitive entry into the property market was inappropriate, but the Forestry Commission still owns large areas of commercial woods, which manage to trade at a loss to the taxpayer, and provide no public benefit other than which could be ensured through covenants on a new owner. The Forestry Commission has a complex role as major landowner, market dominator, policy adviser to WAG, grant intermediary, and dispute arbitrator; these roles can conflict and are best split. If WAG wishes to retain a forest estate as a burden on the public purse, it would be better and conflict less to separate the property side entirely and transfer all policy processes to the new body.

There are a number of unfortunate statements in the text:

Annexe 2: 1.1.3: WAG budgets are constrained by wider UK retrenchment, but they are still per capita way above those of our subsidising English neighbours. The role of government in Wales should reduce, and costs should be lowered including reduction in government employment and the

removal of national wage scales. WAG and local government should set policy and assess outcomes; it is rare that management of a process is best done by the public sector.

Annexe 1: 1.1: WAG's definition of sustainable development in para 2 may convince civil servants and politicians that they have the right to use that term, and to claim that development in Wales is sustainable. But the definition is so generalised as to be meaningless beyond a general aspiration to do well, an aspiration which could be expressed in many different ways and equally apply to the political mantra of the times; it is in no intellectual way a model for continuing with the same process forever, which should be a key definition of sustainability. On that basis, very little can be described as sustainable, not least the economic model on which WAG and much of Wales is based.

7.5 and 6.6.1: I believe that the timber operations of the Forestry Commission trade at a loss; this is certainly the case after the non-commercial property activities of the Forestry Commission are taken into account. There is therefore no "commercial income from timber sales" and such sales cannot be included as funding. This loss will increase if the Forestry Commission is forced by WAG to extend barriers to its economic activity, for example by converting conifers to hardwoods or continuous cover, or by being compelled to buy unprofitable woods for local political expediency. I am not aware of any compelling argument for the state to retain a substantial forestry portfolio. If WAG puts politics before good government, and insists on ownership, it should at least place its property portfolio into an independent agency perhaps on the lines of the Crown Estate or CDC.

Section 6: "accountable to Ministers" but clearly not to the people who pay their wages.

5.5: This estate is a satisfied ratepayer of the Cadicot and Wentloog Drainage Board, and I am not convinced that any change would be for the better. The final responsibility for all assets and management has been tested in the recent Atwell case, and might be transferred to the proposed new body. But the role of government should be limited to policy and assessment; it should not directly manage operations. The current drainage board works effectively and has local accountability. It would be a pity to lose this. Rates collected by each drainage area should be ring-fenced for that area. The devolution of management also makes sense for the cross-border drainage boards; it would be unfortunate if their effect were adversely impacted by different regional governments.

5.4 and 5.3.4: It would be unfortunate if research, which might be best done at a UK-level, were isolated in the parochial confines of Wales, where it would undoubtedly get less money, lower calibre of people, and cost more. There is no specifically Welsh research issue. Research should be carried on at national level (which does not prevent the appropriate institution being located in Wales) and WAG should buy into the research it needs. There is no harm in the new body assessing the statutory issues of tree health, for example, but I would be disappointed if WAG employees were required to treat or inspect tree health. Such functions are better contracted out. It is particularly important to retain access to the national research at Alice Holt, Pirbright, and other such research centres.

5.3.5: Glastir has been accepted as a disappointment and, even in its remodelled form, has had little impact. It is currently a Potemkin environmental scheme and, while politicians will no doubt refer to it as a success, it would be helpful if WAG could revisit the matter. I gather the commons element of Glastir has caused particular concern in WAG because of the unexpectedly high take up; the purpose of such schemes of course being to fulfil statutory obligations and not to effect change for the better. The basic payment under commons Glastir is small, and the attraction of Glastir for the urban commons of south east Wales was the targeted element. This promised to redress the degradation of urban commons, and perhaps to compensate for the withdrawal of funding of the council commons officers. It now seems that the commons of south east Wales will not be allowed to apply for targeted funding, and therefore have little incentive to progress. Instead, WAG has appointed 18 Common Officers, costing £40,000 a year each, and it is not evident that they will have anything to do (but a quick plug here for Berry Coffman who was most helpful in setting up our scheme). WAG's handling

of commons Glastir has been bewildering, with changing proposals right to the last, and an obtuse inability to distinguish between commoners and those who have a right to operate on the common.

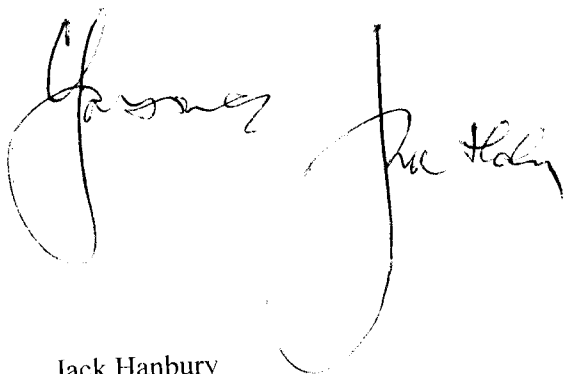
5.3.3: It is difficult to trust any statement by WAG on badgers. If WAG believes the new body should be responsible for everything, this should include procrastination on badgers. If WAG is concerned about conflict of interest between 1) property ownership and 2) regulation, my response would be that 1) government has allowed the Forestry Commission to have such a conflict (inter alia) for nearly a century); 2) WAG does not need to own so much land, and 3) if WAG wishes to remain a major landowner for political reasons, such land management should be by a separated agency.

5.2.1: It would be unfortunate to complicate the largely-unnecessary distinction between England and Wales by seeking to absorb into WAG part of the wider responsibilities of cross-border land management. There is a long border, on land and sea, and largely the same issues on both sides. A pragmatic approach is best, and should not be seen as a threat to putative political autonomy.

4.4: The strategic outcomes are so banal and generalised that they could be used to justify almost any policy or action. WAG ought always to “drive a step change” to the responsible management and use of the natural resources of Wales (I assume in the first sentence WAG is not inappropriately linking “we” which refers to WAG with “our” which refers to the resources of Wales). The frequent use of the word “sustainable” suggests that 1) either WAG does not know what sustainable means, or that “sustainable development” means something other than development which is sustainable. I would be very impressed if WAG knew how to mitigate the effects of climate change; I doubt WAG even knows what climate change is. This is not to denigrate the many thoughtful people in WAG, but simply to suggest that there is still much debate about climate change, its impact and mitigation. I do not suggest that the climate does not change, but I doubt WAG can resolve it. But WAG can devise and implement responsible long-term policies for the strategic management of natural resources, and I assume that this laudable objective is what you really mean. It is a pity not to write a document which says that, and then I might be able to give it more consideration.

4.3: Wales is geophysically part of an island, and politically part of the United Kingdom. It would be a pity to declare an ambition which vaunts an unrealisable impact, somehow achieved with the limiting resources of self-imposed parochialism. It would be lovely to think that the proposed new body would be “independent and respected” but I am unsure how that matches the proposal (p27) that it should be “fully accountable to Ministers”. It is generally considered that ministers are accountable for their department and to the people, and I would hope all civil servants would act likewise.

I suspect that politicians are committed to this proposal, despite the concerns of officers. I remain open to the proposal, but unconvinced by this consultation, which makes no compelling case for change, and masks its laudable aspirations with a filigree of bald statements and banal jargon.

A handwritten signature in black ink, appearing to read 'Jack Hanbury', written in a cursive style.

Jack Hanbury

From: Roger Pawling [mailto:rogerpawling@gmail.com]
Sent: 20 April 2012 12:07
To: Living Wales
Subject: Response to Sustaining a Living Wales

Dear Madam or Sir

I wish to comment on the Welsh Government's Green Paper, "Sustaining a Living Wales". I very much welcome the 'ecosystems approach' to managing the environment and natural resources in Wales that it embraces. However, I am concerned that the Green Paper does not provide sufficiently explicit and unambiguous support for ensuring that species and habitats are given the protection they require to survive and recover in Wales.

As well as protected sites, action is needed to support all species and habitats, and particularly those that are under pressure. This has been recognised through the Wales Biodiversity Action Plan but if these species are to survive and recover in Wales, land managers, developers and regulators, not just conservation bodies, will have to be responsible for achieving this.

Most importantly legislation should give recognition to the natural environment that it is intrinsically worth saving, irrespective of whether the benefits to us are objectively measurable or can be measured financially.

Lastly the body that will oversee the implementation of the legislation needs to have the conservation of nature clearly written into its constitution as a primary objective.

Thank you.

Roger Pawling

From: David Randolph [djran.t21@btinternet.com]

Sent: 18 April 2012 18:28

To: SEB mailbox

Subject: Re: Merging rural influence bodies.

Attachments: WelshAss.J.Griffiths.Min Env.280112.rtf

Dear Carrie Moss,

Thank you for your email. I have read the merger consultation document and find an on screen response difficult to achieve. I have therefore attached a letter which is addressed to the Minister and hope this will be regarded as an acceptable and constructive response.

Regards,
D. J. Randolph.

----- Original Message -----

From: [SEB mailbox](#)

To: [David Randolph](#)

Sent: Thursday, March 22, 2012 11:50 AM

Subject: RE: Merging rural influence bodies.

Dear Mr Randolph

Thank you for your email to the SEB mailbox. You may be aware that the Welsh Government is currently consulting on the proposal to establish a single body for Wales. A link to the relevant web pages is attached below, for your information. Your email pre-dates the consultation period, so if you want to submit a formal response the consultation runs until 2 May 2012.

<http://wales.gov.uk/consultations/environmentandcountryside/singlebody/?lang=en>

Regards

Carrie Moss

Adran yr Amgylchedd a Datblygu Cynaliadwy

Department for Environment and Sustainable Development

Llywodraeth Cymru/Welsh Government

Ffon/Tel: 02920 82 5527

e-bost/ e-mail: Carrie.Moss@wales.gsi.gov.uk

From : David Randolph [mailto:djran.t21@btinternet.com]

Sent: 13 December 2011 15:27

To : SEB mailbox

Subject: Merging rural influence bodies.

Dear Sir/Madam,

I have read, with interest, of the current proposals to merge Env Agency Wales, CCW and FCW. Having had much first hand experience of the latter two over the past thirty years or so, I feel that a few observations and concerns ought to be expressed at this stage.

CCW is regarded by many business people as the biggest single block on economic recovery in Wales. This view arises from their complete lack of accountability, their intensely focussed attitude towards animals and plants to the exclusion of all other issues and the fact that they have no requirement to consider the economic impact of any of their decisions. I have personal experience of where their ability to word an environmental survey in such a way that an area with nothing exceptional or at risk can be portrayed as if it were so important that the very survival of Wales depends upon that area being conserved. You will be able to find many, many examples of where an entrenched CCW view has prevented economic development or has added prodigious sums to the cost of such development, out of all proportion to that which was perceived to be possibly at risk. It is oh so easy to make that overstated case when you have no financial risk yourself and where your salary and pension continue regardless of the unwisdom of your decisions. This is worrying when the entire cost of CCW is paid for by the tax payers. If there were any accountability, then there would be the chance of redress. As it is, the process is utterly undemocratic and CCW remains almost unbelievably slow and tedious in its processes. It has been known to take three months to provide minutes of a meeting at which all issues were agreed, only then to adjust it's views and decide to disagree. I could go on.

FCW has a long record of mismanagement of woods, failure to meet the terms of its leases and an inclination not to worry about its inability to be economically viable. It has spent considerable time and public money on potentially lucrative ventures only to renege at the last because of a pathological fear of being seen as not sufficiently environmentally friendly in everything it does. This is a way of proceeding which cannot be sustained in the long term as again, taxpayers pay all the bills. Like CCW, there appears to be little in the way of accountability and their processes and protocols make for considerable obfuscation in its submissions to The Assembly. FCW is also ridiculously subservient to CCW even in areas where it has superior relevant knowledge.

The Welsh taxpayer gets a very poor deal and at great cost, from the current arrangement. I see no sign yet that the proposals will do anything at all to alter that situation.

Questions which will need to be answered might include:

By how much will the overall cost be reduced by the changes?

How much smaller will the total workforce be?

What economies will be made in the use of offices and other resources common to all three bodies?

How will you introduce accountability?

How will you ensure efficient office and work practices?

How will you ensure that narrowly focussed minority opinions are tested by reference to the overall picture?

There will be many more, of course.

Is it too much to hope that in answering these issues, the language used will be clear, unambiguous and free from jargon? I have found over time that the writings of CCW and FCW are full of distortion, misrepresentation, failure to directly answer the question and many other unappealing characteristics of modern bureaucracy. If there really is a desire to make this big change may we be encouraged to believe that it will lead to an improved situation with more clarity and less fudge?

The above is but a tiny precis of how CCW and FCW are perceived by real people in the real world. It would almost be a first if government, in all its forms, could actually listen to the people and do something for them, not just for the insiders involved who wish to acquire more status, self aggrandisement etc. etc.

Yours faithfully,

D.J.Randolph.

On leaving the Government Secure Intranet this email was certified virus free. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Wrth adael Mewnrwyd Ddiogel y Llywodraeth nid oedd unrhyw feirws yn gysylltiedig â'r neges hon. Mae'n ddigon posibl y bydd unrhyw ohebiaeth drwy'r GSi yn cael ei logio, ei monitro a/neu ei chofnodi yn awtomatig am resymau cyfreithiol.

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West Foscote Farm
Grittleton, Chippenham, Wiltshire, SN14 6AH
Telephone: (01249) 782413
Fax: (01249) 783336
Email: djran.t21@btinternet.com

Minister for Environment
Welsh Assembly
Cardiff Bay
CF99 1NA

April 18th 2012

FAO: John Griffiths. AM.

Dear Minister,

Re: Merging Rural Influence Bodies.

I have read your consultation paper on the proposed merger of EAW, CCW, and FCW and find it difficult to know how to fill in comments at each stage as indicated in that document. The language is opaque and it is difficult to see exactly what is intended. I can also find little mention of just how the new body will be more accountable than its current three parts are presently.

I wish therefore to comment based upon my own experiences with two of the bodies and having land ownership within Wales.

CCW is regarded by many business people as the biggest single block to economic recovery in Wales. This view arises from their complete lack of accountability, their intensely focused attitude towards animals and plants to the exclusion of all other issues and the fact that they have no requirement to consider the economic impact of any of their decisions. I have personal experience of where their ability to word an environmental survey in such a way that an area with nothing exceptional or at risk can be portrayed as if it were so important that the very survival of Wales depended upon that area being conserved. I know of a case where, although CCW claimed a planning application conflicted with PPW, they did not appeal to WAG (they missed three opportunities to do so) on that basis. The reason given was "lack of funding". CCW then went on to concoct a specious case against development spending many tens of thousands of pounds in doing so. The appeals procedure against a CCW intention or decision is as grotesquely unfair as it is possible to be.

You will be able to find many, many examples of where an entrenched, narrow CCW view has prevented economic development or has added prodigious sums to the cost of such development, out of all proportion to that which was perceived as possibly being at risk. It is oh so easy to make that overstated case when you have no financial risk yourself and where your salary and pension continue regardless of the un-wisdom of your decisions. This is worrying when the entire cost of CCW is paid by taxpayers. If there were any accountability, then there would be the chance of redress. As it is, the process is utterly undemocratic and CCW remains almost unbelievably slow and tedious in its processes. It has been known to take up to three months to provide minutes of a meeting at which all issues were agreed, only to then adjust its view and decide to disagree. I could go on.

FCW has a long record of mismanagement of woods, failure to meet the terms of its leases and an inclination not to worry about its inability to be economically viable. It has spent considerable time and public money on potentially lucrative ventures only to renege at the last because of a pathological fear of being seen as not sufficiently environmentally friendly in everything it does. The section 40 application to WAG to alter policy is bizarre in that so little information needs to be submitted that the Minister takes a decision not knowing what has already been spent, what loss of revenue will flow from that change. These are fundamental facts which any business man would demand before taking decisions with an impact on revenue. This is a way of proceeding which cannot be sustained in the long term as again, taxpayers pay all the bills. Like CCW, there appears to be little in the way of accountability and their processes and protocols make for considerable obfuscation in its submissions to The Assembly. FCW is also ridiculously subservient to CCW even in areas where it has superior relevant knowledge.

Wales gets a very poor deal, and at great cost, from the current arrangement. I see no sign that the proposals will do anything at all to alter that situation. Questions which need to be answered might include:

What will be the true cost of the change?

By how much will the true overall annual cost be reduced by the changes?

How much smaller will the total workforce be after the changes?

What economies will be made in the use of offices and other resources common to all three bodies?

How will you introduce accountability?

How will you ensure efficient office and work practices?

How will you ensure that narrowly focused minority opinions are tested by reference to the overall picture?

There will be many more of course.

Is it too much to hope that in answering these questions, the language used will be clear, unambiguous and free from jargon? I have found over time that the writings of CCW and FCW are full of distortion, misrepresentation, failure to directly answer the question and many other unappealing characteristics of modern bureaucracy.

If there really is a desire to make this big change may we be encouraged to believe that it will lead to improved working with more clarity and less fudge? Wales has so much going for it but is held back by costly bureaucratic processes, over-staffed local authorities and questionable planning processes.

The above is but a tiny summary of how CCW and FCW are perceived by real people in the real world. It would be almost a first if WAG, in all its forms, could actually listen to the people and do something for them, not just for the insiders involved who wish to acquire more status, self aggrandizement etc. etc.

Yours sincerely,

D. J. Randolph.

From: Peter Ogden [peter@cprwmail.org.uk]
Sent: 19 April 2012 15:59
To: SEB mailbox
Subject: Natural Resources Wales: Single Environment Body.

Importance: High

Attachments: CPRW SEB response 18 04 12.pdf

Dear Carrie

Natural Resources Wales: Single Environment Body.

Representation by the Campaign for the Protection of Rural Wales (CPRW)

Further to my previous email earlier this afternoon containing CPRW's submission in response to the Natural Resources Wales: Single Environment Body consultation, I would be grateful if you could please disregard the previous version and replace it with the version enclosed. The first version contained an incorrect statement which had been overlooked in the proofing process .

I would be grateful in due course if could you please acknowledge that this correction has been noted and the enclosed version duly registered as CPRW's submission.

Thanking you in anticipation

Peter Ogden
Director
CPRW

Copy
logo

Caring for all Welsh landscape and rural life

Support us by visiting <http://www.easyfundraising.org>

Ymgyrch Diogelu Cymru Wledig Campaign for the Protection of Rural Wales



Cadeirydd Chairman Dr Jean Rosenfeld
Cyfarwyddwr Director Peter Ogden

Carrie Moss,
Living Wales Programme Team,
Department for Environment and Sustainable Development,
Welsh Government,
Cathays Park,
CF10 3NQ,
April 18th 2012

Dear Sir or Madam,

Natural Resources Wales: Single Environment Body. Response by the Campaign for the Protection of Rural Wales (CPRW)

1. General comments

1.1 As Wales' foremost landscape and rural watchdog, CPRW welcomes the opportunity to comment on this important consultation document and the proposed establishment of a new body for the management of Wales' natural resources. CPRW's interests in the responsible stewardship and evolution of the rural environment and the landscapes of Wales are long standing, wide ranging and closely linked to the achievement of a more sensitive and responsible use of both the land and sea and the connectivity between them. We therefore anticipate that this new chapter of environmental management in Wales will result in a long awaited step change in attitudes towards the protection of the best of our natural assets and landscapes, in addition to those alongside them which demonstrate that the Welsh Government is actively implementing the principles of the European Landscape Convention and its underpinning aim that "All landscapes matter".

1.2 Given our long standing desire and advocacy to see greater and a more ambitious integration in the management of Wales's natural and cultural assets in order to maintain both the quality and functional diversity of all the landscapes and seascapes of Wales, we welcome the proposal to establish a single umbrella environmental body to guide and oversee this function, so long as it has the opportunity, the resources, and effective means of doing so. We do not believe that any new body should be expected to undertake the challenges of managing the Welsh environment without the same level of commitment and ambition that its predecessor organisations have shown.

1.3 Similarly we genuinely believe there is considerable merit and a need to develop a more holistic approach to the management of Wales's natural assets so that their true values are better appreciated and valued and the social and economic benefits which well managed landscapes and seascapes across Wales provide are more fully and publically recognised. Likewise we have consistently promoted the

view that a Single body responsible for the environment should be organisation responsible for the compilation and delivery of any National Resource Management Plan prepared to guide the future use of our natural and their associated cultural assets. Vesting this specific responsibility in the remit of the new body, we believe provides the most sensible and appropriate means of achieving the integrated approach which a landscape and ecosystems approach for the management of the environment of Wales requires.

1.4 We are therefore concerned that the document does not adequately reflect this fact and that a key purpose of the proposed new body should be to fulfil this role and deliver a functional and integrated strategy for the management of Wales's multiplicity of natural assets on land and in our adjacent marine environment. We believe this is the only sensible way to ensure that the character and multipurpose value of this huge range of landscapes and seascapes assets will maintain and enriched.

1.5 Given this desire, we are therefore similarly concerned that there is little explicit recognition or direct reference in the document to the fact that the role of the new body will specifically embrace and provide it with the necessary responsibilities to coordinate the sensitive and responsible stewardship of all Welsh landscapes and seascapes and the accountable enjoyment of them. We believe this is an oversight and will detract from the ability of the body to contribute to the improvement of the quality of life of all those who choose use the natural environment of Wales as a source of pleasure and enjoyment.

1.6 Given the range of current statutory responsibilities which we are aware that the Countryside Council for Wales have in this respect and the duties they must undertake to protect areas of national landscape importance, we cannot understand why and do not accept that this "landscape stewardship" responsibility, is not explicitly referred to in the specific functions and responsibilities of the new body. We optimistically interpret this is an oversight and would expect the final version of the responsibilities of the new body not only to clearly reflect these important roles but also for the strategic outcomes associated with the responsible stewardship of the all Welsh landscapes especially those which have been designated as being of national importance, to form a integral component of the body's programme of future activities.

1.7 Likewise we further believe that notwithstanding the fact that the Sustaining Living Wales agenda is still being developed, we believe there should be an unequivocal reference to the fact that the new body, through the Vision it develops, will have a major role in refining and implementing the new Living Wales eco systems management approach.

1.8 We also believe that the document from the outset, should clearly state that the new body will have a comprehensive and over arching responsibility and

associated working brief for the stewardship of all the relevant natural resources and assets which exist on both land and at sea and a complementary responsibility for the strategic planning of their use.

1.9 We would also contend that the body should have a clear responsibility for the stewardship of those cultural dimensions of the landscapes of Wales and the public values and services these assets currently provide. We cannot see how the new body can fulfil an holistic approach to the management of the environment without it having a direct focus on those aspects of it which contribute to its acknowledged heritage importance.

1.10 Whilst we will submit further observations in respect of all these matters in our response to the Sustaining Living Wales consultation, we would highlight the fact that the existing document does not provide us with confidence that the new body will be expected to or able through the proposed eco systems approach, adequately safeguard and enhance the assets or areas which have currently been designated because of the quality and intrinsic value of their special qualities or the extensive range of the functional values they provide. We believe that a clear statement setting out the new body's responsibilities to protect and defend the qualities of any area regarded environmentally as being of national importance, should be included in the remit of the body.

1.11 Notwithstanding these important qualifications and caveats, CPRW welcomes the establishment of the body and looks forward to being able to work with it to showcase on an international stage, the holistic management approach which Wales seeks to pioneer and demonstrate how its greatest assets, our natural resources and the landscapes and seascapes can be managed in a sustainable manner to ensure that the whole of Wales remains a very special place.

2. Detailed comments

2.1 Given our support in principle for the establishment of the new body, the remainder of this submission focuses on a number of key issues identified in the document and our reaction to them.

Para 2.1: The interpretation of the term Sustainable Development

2.2 Whilst recognising the commitment that the Welsh Government has repeatedly made through its Sustainable Development Scheme to embed Sustainability and Sustainable Development as its central organising principle, we are still concerned that there is no clear definition nor consistent understanding of what exactly this term means. With the prospects of a forthcoming Sustainable Development Bill on the horizon, it is timely and important that this issue is clarified before the remit of the Single Body is established and becomes

functional, especially given that it will be expected to deliver a Sustainable Development remit through its approach to environmental management.

2.3 Generically we believe that through its work the new body is ideally placed to promote a Sustainability approach to living by having a key role in promoting the highest level of intent and commitment by Wales as a nation and everyone who is part of its evolution, to this ambition. However the role of the new body in promoting and adopting a sustainable approach to this ambition is we contend, fundamentally different to its role in furthering the concept of Sustainable Development (which reflects in our view the extent and one of the means by which the nation's sustainability aim are being achieved).

2.4 For the new body to help achieve Sustainable development, it must be able to demonstrate and encourage through its work, the sustainability benefits which occur when the change in the status of any resource upon which public well being depends as a result of their use occurs, i.e. a beneficial change in the condition of a resource as a result of a deliberate use or unexpected action. If the outcome of change (development) is to be sustainable, then the new body must be able to show how this has been achieved and more importantly that the outcome of its work reflects a number of important circumstances.

2.5 If the consequences of change caused by development are to be sustainable the new body must in our view be able to demonstrate that it has facilitated responsible change which

- Is undertaken within those limits which enable the environment and natural resources of Wales to continue to perform their current range of multi functional services and public well being role i.e. **Operate within accepted the boundaries of defined environmental capacities and standards.**
- Does not diminish and preferably enhances the status of Wales's natural resources or assets so as to enable them to continue to perform their primary functions i.e. **Maintain their Integrity.**
- Enables any resources (be they natural or cultural) to continue to perform their existing functions when subjected to unforeseen forces or stresses: **Retain their Resilience.**
- Enables resources to perform their natural functions in conjunction with other resources to which they relate, in a synchronised way. **Safeguard their cohesion.**
- Creates and maintains **diversity of status, choice and opportunity** for future use

2.6 The achievement of Sustainability and hence sustainable development by the new body are not therefore about balancing the three characteristic attributes of environmental, social and economic interests, but are conditional upon decisions ensuing that change is achieved in ways which ensure an accepted state of integration occurs between each of them.

2.7 That being the case we advocate that the new body should have a major responsibility to ensure that there is a presumption that

the functional status of any two of the characteristic components of sustainability are not significantly impaired as a result of actions to promote or enhance the status of the third.

2.8 In accepting this logic, it therefore follows that the new body's remit and operational role in terms of helping to achieve Sustainability, should be cast in a manner which clearly recognises that at the very least it is

responsible for ensuring that the inherent integrity, functional resilience and cohesion of any existing natural or cultural asset or resources, or the benefits which arise from them, are suitably retained when change to them occurs or is induced.

2.9 Sustainable Development we therefore contend should be defined as

“the product or outcome of a process whereby conscious decisions have been taken to determine the extent that a prescribed change maintains or enhances a resource's sustainability credentials or qualities, for the greater benefit of public well being.”

2.10 We suggest that this approach should be the working philosophy of any new body responsible for the protection and stewardship of the Welsh environment.

Paragraph 2.2.2

2.11 With regard to the factors driving change we would suggest the following is added to the current list associated with the working remit of the new body;

- **The need to maintain and enhance the quality and diversity of all Welsh terrestrial and marine environment in ways which retain their integrity, cultural signature, heritage qualities and the readability of their constituent landscapes and seascapes values.**

Question 1: Creation of a Single body

2.12 Subject to our comments above, CPRW supports and welcomes the proposal to deliver more integrated management of Wales's natural resources by bringing the three current bodies involved in this area of work together to create a single environmental body for Wales. We suggest that this new organisation should be called **“Environment Wales”**

Question 2: Additional measures

2.13 We suggest that the addition theme /factor mentioned in Para 2.10 above, should also be addressed and incorporated into the ambition and remit of the new body.

2.14 We also believe that reference should be made to the body having a specific role in ensuring that the full range of cultural services and associative values that Welsh landscapes and seascapes provide, are fully and properly accounted for in its work.

Question 3 Phased approach

2.15 CPRW supports the suggestion to undertake the body's anticipated activities in a phased manner. As part of this approach we believe that the immediate and operational aims of the body should be agreed if not before it is established, within its first three months of its becoming operational. Thereafter its longer term target ambitions for the next ten year period should be agreed and published within one year of the body's establishment.

Section 4.1 Sustainable development and ecosystems approach

2.16 With regard to the relationship of these two issues, we refer to our previous comments as to how the new body should be charged with and directly responsible for, the delivery of its Sustainable Development remit.

2.17 We are concerned however that the current wording and emphasis in this section appears to subtly distort the meaning of sustainable development by assuming that the priority for the new body's approach to sustainability should be for its activities to primarily targeted at encouraging the use of Wales's natural resources to promote and achieve economic benefits.

2.18 We believe that there is a need to make it very clear that the purpose and primary aim of the new body is to ensure that the inherent value, quality and diversity of the natural resources of Wales are safeguarded and in so doing are thereafter utilised in an optimal manner which ensures that their status and functional integrity is maintained so that they continue to provide the greatest range of environmental and public benefits. At present we see no direct evidence in the desired outcomes of the new body that this role will feature prominently in its assumed role. This deficiency must be rectified.

2.19 Similarly we cannot identify with the current range of functions the new body will assume, its statutory role in identifying and protecting those natural features and attributes which provide nationally important life support services and public benefits. We are therefore concerned that the role of the body in maintaining the special qualities of those areas which are currently designated is not identified in its remit. Given that 25% of Wales falls within this latter category, it is anomalous that the new body is not specifically charged with a guardianship responsibility for our portfolio of existing and nationally recognised landscape and environmental assets.

Question 4: Principal Aim and strategic outcomes of the Body

2.20 Whilst we agree the new body should have SD as its central organising principle, as mentioned above we remain concerned that the reality of its role appears to have been skewed so as to align it to promote the management of the environment with the primary purpose to

“develop our economy... in ways which enable us to better live within environmental limits and help reverse trends in declining biodiversity, unsustainable resource consumption and associated greenhouse gas emissions.”.

2.21 We disagree with the implications and consequences of this presumption and believe that the remit of the new body should quite clearly state that its purpose is to:

“protect and manage the quality, diversity and functional value of all Wales’s natural and cultural resources within prescribed environmental limits, so as to help reverse trends in declining biodiversity, counteract unsustainable resource consumption and associated greenhouse gas emissions and maintain the quality and integrity of Wales range of landscapes and seascapes .

In so doing the environment would thereby continue to provide the range of vital life support services which society relies upon to ensure that the quality of life, public well being and the economic benefits which the responsible use of these resources offers, is maintained and optimised.”

2.22 We do not accept that the priority of a body responsible for the management of the Welsh environment should be one shrouded in a desire to promote economic growth or development unbridled by any clear environmental obligations or limitations.

2.23 In this context we therefore repeat our previous observation, that the new body should have the specifically expressed role and direct responsibility for making decisions which guide and promote the responsible stewardship of the landscapes and seascapes of Wales and the enjoyment of them by the public in the future.

2.24 To make the new body’s role in respect of landscape stewardship clear, we believe that the wording and sentiments of Section 4.4 should be amended so that the desired outcomes of the new body refer explicitly to

- **Further responsible landscape stewardship and resource use nationally and locally, in ways which promote distinctiveness, identity and an endearing sense of place. In so doing encourage appropriate measures which ensure the improved resilience, diversity, quality and cohesion of these natural and cultural assets thereby optimising the public services and benefits they provide.**
- **Develop best practice which results in more informed, transparent and sounder decision making processes to guide and determine how our natural resources should be used.**
- **Ensure that Wales’s most prized and premier natural and cultural assets are safeguarded and their functional values optimised for the benefit of those who seek to use them in the future. Notwithstanding this, the range and diversity of all Wales’s landscapes assets are managed in manner consistent with the principles of the European Landscape Convention.**

Question 5: Delivery framework

2.25 CPRW welcomes the concept of the new body working within a delivery framework so long as this has sufficient flexibility to enable it to respond to new or emerging issues which may arise in the future. In particular we believe that the early pioneering work of the Living Wales approach should not be constrained by either administrative structures or hurdles which do not allow the organisation to adapt to the new challenges or opportunities facing the Welsh environment.

2.26 We also believe that any proposed operational framework should allow the new body to plan and deliver all the relevant measures which it needs to enable it to guide the management of Wales's natural assets and their associated cultural assets, in a comprehensive and integrated manner.

2.27 We therefore believe in this respect, that the new body should be responsible for the production and review of the proposed *National Resource Management Plan* as well as its delivery nationally and locally. To be able it to do so, we therefore recommend that any land management functions are activities currently retained by the Welsh Government, should upon the establishment of the new body be transferred to and become the responsibility of that new body.

2.28 In so far as the range of functions outlined in Appendix 5, we view these as preliminary and their scope and exact detail should be refined through further dialogue with the Welsh Government and all relevant stakeholders within the first year of the establishment of the new body.

2.29 Notwithstanding this, we suggest that an additional function (area of work) which the new body should be specifically charged with undertaking and should therefore appear alongside those currently included in Table 1, is the

“Promotion of positive landscape and seascape stewardship activities especially those which safeguard and enhance the existing character and sense of place of these assets and the functional value and the public benefits they offer”

Question 6: Functions of the new body

2.30 CPRW believes subject to our comments in relation to the previous section above, the range of functions outlined is a useful summary but not necessarily at this point in time, a definitive list of all those which will be required by the body for it to operate effectively and in an adaptive manner when circumstances necessitate.

Question 7: Changes to Welsh Government functions

2.31 With the following exceptions, CPRW believes that the range of existing functions should enable the new body to undertake its anticipated role no less effectively and hopefully better than the three existing bodies at present.

2.32 Contrary to the view expressed in the consultation document however, we believe that the new body should have direct and independent responsibility for two key areas of work namely

- The formulation of strategic and local environmental policy thereby enabling it to discharge its proposed functions in a seamless, effective and more integrated manner. Without this function being the responsibility in the new body, we believe that its role and effectiveness could be compromised and consequently be dominated by an overriding emphasis on environmental regulatory activities to the detriment of its ability to develop and deliver the Living Wales approach in an innovative, realistic and inspiring manner.
- The implementation of those important land stewardship functions which are currently retained and undertaken by the Welsh Government, e.g. agri-environment stewardship schemes.

We contend that the transfer of these functions is vital if an holistic and wholly integrated approach to the management of land and its constituent resources is to be achieved. Without this responsibility the new body will be disadvantaged and there will be a clear mismatch between its desire to encourage the management of the environment in an holistic and integrated manner and its ability to realistically do so.

2.33 In both instances CPRW believes these cardinal roles and crucial delivery functions must be transferred from the Welsh Government to the independent yet accountable new environmental body.

Question 8 Environmental research

2.34 CPRW is unsure whether the suggested approach will be appropriate and believes that the new body should have sufficient flexibility to define and implement its own programme of research especially if the policy making responsibilities relating to the preparation and delivery of the National Resource Management Plan agenda are devolved to it as we suggest.

2.35 Similarly we are not convinced nor believe that it is logical, that any future framework for environmental research should be established by an organisation which is not directly involved in the implementation of those environmental management and regulatory activities which might trigger or stem from the findings of any appropriate research.

Question 9 Status, governance and accountability of the new body

2.36 We support the proposal that the new body should be a Welsh Government Sponsored Body and able to function in an independent manner accountable to the relevant Minister in the Welsh Government. We believe as mentioned previously however, that this approach is not totally consistent with the positioning of various functions as suggested for the current remit of the body in the document at present.

2.37 We make no further comment regarding its governance arrangements other than repeating that we believe the various issues mentioned in previous sections of this response, should be reflected in a revised version of the “Outcome themes” identified in the Delivery Framework as set out in Appendix 5 of the current consultation document.

Question 10 Stakeholder arrangements

2.38 For the new body to be effective, it is imperative that it develops a transparent, credible and practical relationship with its many communities of interests and priority stakeholders. We would anticipate that the nature of this relationship needs to be as good if not better and more inclusive than is currently the case. We suggest therefore that within 12 months of its establishment, the new body should consult upon and publish a **Stakeholder Liaison Charter**. This statement should be subject to open scrutiny by interested parties before it is adopted by the new body/ Welsh Government.

2.39 In addition, we believe this Charter should outline the manner in which the new body will encourage participation and engagement by external bodies in its work and decision making processes and set out the means by which it will be accountable for the decisions it makes, the priorities for its work it and the actions it takes.

2.40 The statement should also explain how the new body's functions will be discharged locally/ regionally to ensure they are implemented effectively and with confidence. Where possible we see no reason why this should not be achieved through accepted and robust existing management and administrative arrangements.

2.41 In this context, we believe there is a strong case for those public sector organisations with strong track records for the effective management of the environment to be given an enhanced role and the necessary resources to be able to deliver the new body's agendas and activities locally. We believe that this local delivery approach will become even more important and relevant as work in developing, promoting and implementing the proposed National Resource Management Plan proceeds.

2.42 We would therefore argue that during the establishment of the new body it should define which competent and credible "Stewardship Authorities" should be charged with and responsible for any of its functions which need to be delivered locally. We suggest that the skills and experience which exist within National Park Authorities and similar locally based Authorities responsible for the care and management of Wales's key landscape and resource areas such as AONBs, would make them ideally suited to undertake this important role.

2.43 Under these new arrangements, we foresee such organisations not only undertaking these responsibilities within the areas currently within their control or jurisdiction, but the prospects for their responsibilities being extended to areas beyond their existing boundaries in particularly into areas of the coastal and marine environment adjacent to but out with their existing geographical boundaries.

2.44 We believe that a reconsideration of the Purposes of existing Protected Landscapes or other important areas of resource importance and the means by which they can contribute to the Welsh Government's Living Wales ambitions in the more rural areas of Wales, will highlight and reinforce the logic of this suggestion.

2.45 CPRW would be pleased to explore and develop this approach with the relevant officials in due course in particular in the context of the role that Welsh Protected Landscapes can play in the delivery of the Welsh Government's Sustainable Development ambition, the reality of the proposed National Resource Management Plan and the policy context of the forthcoming revision of the National Park Policy statement.

Question 11 Regulatory arrangements

2.426 Whilst we recognise that the Self licensing arrangements have operated satisfactorily in the past, the role and responsibilities of the new body and the significance of decisions it takes in the future in respect of crucial land management issues, could be very different when the proposed new ecosystems approach is adopted and is being implemented. We would therefore reserve judgment as to whether the existing self licensing arrangements should prevail.

2.47 At the very least we would suggest however that where a Self licensing proposal is being promoted, the new body should be required to publicise any such proposal and provide a public statement of its conclusions and recommendations, supported by an adequate written justification of them. Such a statement should be publicised a minimum of one month before any consent is sanctioned and therefore becomes operable. During this period external interests should have the right and opportunity to submit representations to challenge the legitimacy of the evidence which supports the recommendation. Where significant objections are lodged, the relevant Minister should be required to review these objections and duly determine the acceptability of the consent/ licensing proposal.

2.48 Procedures relating to SEA and Habitat Directive, we believe should similarly mirror the suggested arrangements above.

2.49 In addition, we believe that the statement of Regulatory Arrangements needs to be supplemented and strengthened to recognise and reflect the existence and anticipated role and status of the proposed National Resource Management Plan.

2.50 In this context adequate measures need to be put in place from the outset, to recognise the statutory status of this document, its role and in particular its relationship with the decision making processes which guide and underpin the Planning System in Wales.

2.51 We believe therefore that the new body must have not only have a statutory role and responsibility in respect of this National Resource Management Plan but also a clear mandate which requires it to assess how the aims and working principles of this Plan are reflected in all other Welsh Government strategies / policies, the strategic framework of Planning Policy Wales and in particular the content of all Local Authority Local Development Plans. We strongly advocate that this assessment procedure should include a robust set of criteria which will enable effective judgment of how any policy approach or development proposal will affect the functional status, value or integrity of our natural and cultural resources

2.52 We similarly suggest that the new body should also be responsible for scrutinising all LDPs, to ensure that they have taken “appropriate regard of and comply with” with the ecosystems principles and approach within the proposed National Resource Management Plan.

2.53 We further suggest in due course, that compliance with the principles of the National Resource Management Plan and any Local Resource Management plans arising from it, should be a material consideration in judging the acceptability of a Local Development Plan and form an integral component of the test of “soundness” for such plans. Such a requirement would also become an integral element of the “Proofing” processes adopted by the Welsh Government when it produces any of its strategic policies.

2.54 If all these processes are adopted, we believe that the new body should be allowed to make effective regulatory decisions independently of the WG political process but in ways which ensure they are publically accountable, lawful, and have a transparent rationale which balances all relevant interests and in so doing, protect the environment.

3. Conclusions

3.1 CPRW believes there are many advantages to the establishment of a Single body to manage the environment and strongly supports the need to do so in order to ensure that all our natural assets and the benefits they provide, in particular our most special and important ones, are safeguarded. In order to do so, the principles of the Living Wales approach must sit at the heart of and become the focus of the single Body’s remit.

3.2 We are however concerned that the remit of the new body does not fully recognise the important function that it must play in promoting sounder and more integrated approaches to landscape stewardship and in a more strategic sense, the implementation of the principles of the European Landscape Convention. We are similarly concerned that the role of the new body in promoting the enjoyment of the natural environment of Wales is inadequately articulated in its remit.

3.3. In addition we do not accept that the body should simply be responsible for the delivery of as yet an unknown, unexplained and independently produced ecosystems approach to land and resource management. We believe that it is imperative that this new body has a major influence on the development of the approach to be adopted and for that reason we believe it should be responsible for the preparation and implementation of the proposed National Resource Management Plan as well as for its implementation nationally and through its partners locally. For that reason we believe that the development of environment Policy and its subsequent delivery should sit and operate seamlessly within and in an outward facing manner from the body.

3.4 We also believe that a more specific expression of the geographic remit of the new body should be included in the description of its role to ensure that it is defined as the body which clearly responsible for the co ordination of management of both land and sea and in particular the interface which connects these two realms of interest.

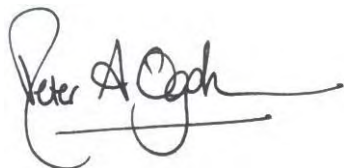
3.5 Finally CPRW believes that the new body should be established and operate in an open, transparent and accountable manner especially in respect to any decision making process it undertakes in either its capacity as a standalone self licensing authority or as a regulatory body scrutinising the legitimacy of third party development proposals.

3.6 CPRW trusts that the above comments prove helpful and confirms that they can be made available to others if so required. Likewise should there be any matters which require further clarification, CPRW will gladly do so upon your request.

3.7 In the meantime, I would be grateful for your acknowledgement of safe receipt of this submission comments and in due course welcome sight of your responses to its content and suggestions.

Thanking you in anticipation

Yours Sincerely,

A handwritten signature in black ink that reads "Peter A Ogden". The signature is written in a cursive style with a long horizontal line extending to the right from the end of the name.

Peter Ogden
Director

From: D E JONES [dejones6@btopenworld.com]

Sent: 20 April 2012 09:04

To: SEB mailbox

Subject: Federation of Clwyd Angling Clubs response to Natural Resources Wales

Attachments: Final Fed Response to WAG.doc

Dear Sir

Please find attached word document. This is the formal response by the Federation of Clwyd Angling Clubs to Consultation Document - Natural Resources Wales issued 9th Feb 2012.

For contact and further information please contact author as indicated on the opening page.

Regards

Best Wishes

David Jones

Mob 07860 711504

The Federation of Clwyd Angling Clubs

Hon.Secretary:

**David Jones
Panorama
Rhuallt
St Asaph
Denbighshire
LL17 0TG**

Telephone 01745 584977 Mob 07860 711504 e.mail dejones6@btinternet.com

17th April 2012

Dear Sir

Background

The Federation of Clwyd Angling Clubs (Fed) was formed in 1979 to represent the game fishing interests of anglers in the Vale of Clwyd and expressly to raise funds to “buy out the salmon netting interests” operating on the Rivers Clwyd and Elwy that were seen as a major cause in the reduction of migratory fish numbers in the catchment.

Following the successful raising of funds, mostly from the personal contributions from local anglers, the last salmon netting licences were purchased in 1998. At that time the Federation represented some 500 anglers. At time of writing the Fed has affiliated to it Rhyl and St Asaph Angling Association, Denbigh and Clwyd Angling Club, Bodelwyddan Game Angling Club and Wirral Game Fishing Club together representing upwards of 1000 anglers.

Since its formation the Fed has been involved in negotiating with the Environment Agency on all areas of aquatic and bank side preservation, improvement and conservation.

Even as a non-statutory body we find that our history and professionalism is recognised by the Environment Agency (EA) who take our representations seriously.

Having been constituted for over 30 years we are surprised, disappointed and somewhat alarmed to have only found out about the Consultation Document from one of our members who discovered it on a web site and not through official channels.

Affiliated Clubs: Rhyl and St Asaph Angling Association. Denbigh and Clwyd Angling Club.
Bodelwyddan Game Anglers. Wirral Game Fishing Club.
Members: The Salmon and Trout Associations. Countryside Alliance. Clwyd and Conwy Rivers Trust.

Preliminary Opening

In view of the importance that the Fed attaches to this proposal to create one single body from the existing EA, Forestry and CCW we convened a special meeting to consider these proposals.

It is relevant here to state that the Fed broadly supports the “holistic” approach of bringing the 3 bodies under one management structure. We do however have several misgivings as to how this will work in practise as some of our comments below will identify.

We are asked to give our opinions and considered views to 11 specific questions interspersed within the 63 pages. We have attempted to give our opinion on each of these questions and felt free to add our own specific comments on those areas which we feel will impinge on our attempts to encourage, promote and preserve this unique habitat for ourselves and future generations.

It must be pointed out in this opening statement that from evidence given to the Welsh Government in a recent enquiry angling is worth upward of £150m p.a. to the Welsh economy, much of the revenue coming from outside the country through angling tourism. There is an argument that monies invested in preserving, promoting, improving and maintaining this important industry could increase this income further. When viewed against what an equal investment for growth could achieve the projected saving of £69m over 10 years from the creation of the NB is not in our view a great saving.

Specific Comments

The Fed in principle supports the proposal to create a New Body (NB). We have been aware for many years from negotiations with the various disparate bodies that there has been a pressing need to bring under one management the independent and sometimes conflicting interests that manage the aquatic and natural environment of Wales. We do however have concerns over how the often conflicting interests of say the Forestry Commission and EA can be resolved considering the often mutually exclusive business imperatives and directions. One such simple example is acidification of water courses caused by planting of single species conifers in upland water catchments. Who is policing whom, managing conflicting priorities and with what powers remains unclear?

Q1 and 2. Therefore our main concern regarding Q1 is that we wish to be satisfied that streamlining management and processes does not in any way weaken the current safeguards and regulatory approach currently undertaken. We would view negatively any “dash for cash” that weakens the current and already reducing level of protection afforded to the environment and its traditional user base. The number of fishery protection and enforcement patrols has been substantially reduced since the creation of the Environment Agency and we would not wish to see any further reduction in fishery protection activity.

As a body representing angling interests we are concerned to ensure that the whole revenue from Rod Licence fees is spent for the protection and improvement of fishing in Wales. We have long held concerns over capitation and feel that there should be some immediate financial recognition that some rod licences purchased in England are used by the angler to fish in Wales and Wales should be credited for that activity with some of the revenue. This can easily be done from better management of migratory catch returns that shows fishing locality and rod hours expended.

Q2. Living and working in North Wales we have recognised for many years the South centric approach to all political and most financial matters in Wales. We have grave concerns that once again we in the North will be subsumed into decision making that will further impoverish the North to the benefit of the more powerful South. Furthermore, the speed necessary, if the proposed integration is to meet the vesting date of April 2013, may further weaken the specific interests and issues of the North.

One important example is that it is still unclear how cross border concerns with strategically important rivers like the River Dee that rises and has most of its course within Wales, forms the boundary with England in places, but then passes briefly through England before draining into the Dee Estuary where again it forms the national boundary is to be managed. Will we in Wales lose out to the even larger vested interests of England?

The Fed also has concerns with the proposal to wind up the statutory FERAC and the Advisory LFaG. At any one time members of the Fed are active participants of one or both of these bodies. Local issues discussed at grass routes level from the Fed are brought to the attention of the larger committees. Many successful initiatives emanating from the Fed have been brought to the attention of these bodies. Losing the localism link with no planned replacement is something we strongly object to.

Finally for section 2. Whist wishing to preserve and improve the environment the Fed, being made up of local people, recognises the importance of balancing the need for managing the natural resources with the need to create a sustainable and thriving economy, business and industry and has a right to be concerned that over-regulation and red tape will stifle sustainable development. The new body needs to have in the fore front of its remit sustainable growth and wealth creation and not because it has recourse to public funds, or create ever more hoops for private industry to jump through.

Section 3 Legal Powers

Q3 The Fed support the adoption of a phased approach. The unsatisfactory results of rushing into change, especially bringing together disparate IT systems and working practises, litter the public sector.

We have no view as to whether the Vesting Day is a realistic target or not. We would wish to state that there appears to be a great deal to be done if the bodies are to be brought together into a fully functioning unit by that time. It is how the “cracks of unforeseen consequences” are covered and not just papered over which we believe will create the public perception of how well our money has been spent.

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Members: The Salmon and Trout Associations. Countryside Alliance. Clwyd and Conwy Rivers Trust.

History of managing such change does give cause for concern. The Flood and Water Management Act (FWMA) is such a case in point. The sustainable urban drainage (SUD) function has been delayed and guidance is still awaited by DEFRA. Lead local flood authorities need to form SUD approval bodies and need to be linked in to the planning process. In the desire to rush through FWMA has led to this being enacted in an ad hoc manner.

Section 4 Purposes of the new body

Section 4, one of the shortest sections within the document, is we believe also the most important. Whilst it lacks detail we would wish to see clearer and more specific definition as to what is meant by the “management speak” phrases, “ecosystem approach”, “sustainable social development”, “natural resources”, “sustaining a living Wales” - as all of these can mean different things to different bodies.

Little if no mention is made of angling, let alone the value of angling tourism to the Welsh economy, both key areas for growth and both having an impact on the environment. Wales has the second lowest GDP in the UK (with certain parts well below average) so investment in our natural resources should be improved along with improvement of communication and infrastructure – a key enabler for growth, we in the North lag well behind the rest of the UK.

Whilst the document lays out key target areas, we would wish to know who is going to actually set the targets, what are going to be the key performance indicators for the new body and its people, what are the consequences if you succeed, or alternatively, if you fail to meet these targets? We hope to see clearer definitions and would hope that your “stakeholders” can be involved in suggesting/setting specific target areas. However with the abandonment of FERAC and LFaG’s we wonder if that is not the real reason for withdrawing these bodies – how are you going to be held to account? What checks and balances are going to be in place?

Section 5 Functions of the new body

In examining the main areas of work page 38, 39, in the light of no specific knowledge, we recognise these as covering all the main requirements of the three subsumed bodies.

One area we do note with interest is page 41 **grants and loans**. As previously stated most of the membership of the Fed is made up of people who also sit on other bodies like River Trust, LFaG, FERAC etc. We believe that considerable value for money can be made by empowering through financial support these sort of organisations. Much can be and is currently achieved with very little financial support, and we would hope that by the development of the third sector, more of the work currently undertaken by the existing EA and CCW can be undertaken by the voluntary sector. Habitat improvement, policing, river watch, wildlife and invertebrate monitoring, erosion, pollution, invasive species eradication, and fencing, to name but a few, are

undertaken by voluntary bodies – how much more might be achieved with more financial support?

Whilst **Pest and Diseases** are mentioned. The Fed believe that this area should be strengthened. We have expended considerable time to the methodology of protecting indigenous species and controlling invasive species both animal and vegetation.

The Fed believes this area needs greater emphasis and is another area where the voluntary sector, with adequate funding, can assist in the control of invasive species.

At this point we feel we should also mention what we believe is an historic anomaly. We strongly believe that the **Coastal Waters** should also be included within the remit of the new body and the EA currently uses substantial resources to patrol the estuarial zones. Experience shows that invasive species and pollution are no respecters of any artificial boundaries. Chinese mitten crab, killer shrimp, signal crayfish to name but three. Whilst Himalayan Balsam and Japanese Knotweed, Giant Hogweed, water plantain and Azolla are infesting river banks and water courses there is also the continuing contentious issue surrounding avian predation.

Similarly the support and expansion of Fishing Cymru , the regulation of stocking, protecting both stock levels and biological integrity are issues which the Fed believes need open and frank discussions. This is again an area that could be managed by the voluntary sector with financial support.

Policy, we believe that the Welsh Government is properly responsible for the delivery of policy, however, we strongly contend that the expertise within the NB be fully utilised and not constrained by political ideology emanating from Cardiff Bay.

Research and Evidence. The Fed recognises the need for Welsh Government to take the lead role in co-ordinating research into all eco-systems management, this must we feel, include the management of people including scientists. Spin offs from the close management of such research and investigations may lead to new revenue streams being exploited. Further independent research by the NB should be encouraged but closely managed so ensuring that “vanity projects” by both political masters as well as for pure scientific learning do not impinge on the day to day operation of the NB.

Marine Licensing. As stated we strongly support the transfer of this responsibility to the new organisation.

Wildlife Licensing. Although we are neutral on the stance of badger cull licensing, we do believe that subsidiarity - bringing to the lowest level decisions that affect the local environment - is to be welcomed, especially for anglers and fish stocking and the matter of avian predation.

Block 6 Education and Awareness. The Clwyd and Conwy River Trust (CCRT), with input from the Fed, has already an excellent track record in delivering training packages to local schools. We know that with more financial support a great deal more could be achieved.

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Marine licensing the Fed supports the move to include this within the new body for the reasons mentioned above. Similarly the Coastal waters should also be included within the remit of the new body. We fully recognise that the strategic development of Common Fisheries Policy with cross border and common sea negotiations must remain with the executive but feel that routine operational matters be subsumed within the new body. Considerable avoidance of duplication of effort and resources could and would be achieved.

Tree and Plant health. We have stated that animals are no respecters of borders and that both animal and vegetation pest and diseases should be managed and controlled by the new body, again with the assistance of the third sector.

Land Use Management. The Fed has for a long time been concerned over the problems associated with river failures linked with inappropriate land management. Such practises like abstraction, over use, pollution, bank erosion and the inappropriate use of pesticides we believe will continue to be a major factor in Wales failing to meet its WFD objectives. Serious financial implications for the Welsh Government could ensue if this area is not strengthened and controlled. Whilst we understand that the executive should and will have control over areas such as Common Agricultural Policy we believe the NB should have an input into its operation and day to day management.

Section 6 Governance, accountability and transparency

The proposals as laid out in this section we believe will be pivotal in ensuring the success of the NB from the outset.

We have already mentioned our view on the cross border issues surrounding the River Dee. We believe strongly that the whole of the Dee be managed by the new body from source in the Welsh mountains to the sea on the borders of England and Wales.

The body, whilst reporting to Welsh Government, must be seen as independent and free from political interference. If the NB is to build up the respect of the people in Wales from the outset it is paramount that its independence is made manifest and transparent.

The Fed do not have comments on the appointment of the **senior management** structure save to say it must be as transparent and as open as possible. The accusation of cronyism must be avoided at all costs.

Stakeholder engagement. We have previously set out our opinion on stakeholder engagement and regret the winding up of FERAC and LFaG committees. We strongly believe that both of these bodies ensured the voice of stakeholders was heard. With no alternative arrangements in place we believe that the premature cessation of these bodies would be a serious retrograde step and would strongly countenance reconsideration.

Section 7 Managing Change

The Fed's main concern is that proper control on maintaining the current operations of the three bodies continues whilst the shadow body is built up. Management controls must be robust to ensure that people subsumed into the shadow body do not leave holes that may affect performance that could have serious ramifications for the public's trust of the new body.

Finally we believe it is essential that the new body is properly funded and adequately resourced. The author has considerable experience in bringing together large IT groups, but alas the Public Sector does not have a good record in managing this type of change and we hope that for once this exercise results in an organisation that we are all comfortable with, is effective in its role and has the trust of the stakeholders.

The Fed wishes the new organisation well and would look forward to having a future role in shaping the new organisation.

Yours sincerely,

David Jones
Hon Secretary Federation of Clwyd Angling Clubs

From: Ken Richards [ken.j.richards@sympatico.ca]
Sent: 22 April 2012 14:36
To: SEB mailbox
Subject: Consultation Document: Natural Resources Wales

Attachments: NR Consultation (KJR).pdf; ATT2145565.txt

Dear Ms Moss,

Attached is a file with comments regarding the Consultation Document: Natural Resources Wales. I live in Canada but maintain a close connection with Wales, and am particularly interested in the governance of the environment as part of the devolution process. The Sustainable Development Bill and associated legislation are arguably the first Welsh laws regarding the use of land and resources to emerge since Wales' own laws passed into oblivion following the Laws in Wales Acts, 1535-1542.

My comments on the Consultation Document are based on thirty years experience in the natural resources and environmental fields with the Ontario Government as a policy adviser in central agencies and as director of intergovernmental relations in the Ontario Ministry of the Environment. During this time I was involved in changes made by the provincial government to incorporate sustainable development into the managerial culture of natural resources and environmental agencies. In my intergovernmental role I was involved in similar discussions with other governments across Canada and in the management of transboundary projects on the Great Lakes, such as the Niagara River Toxics Management Plan. Following retirement I returned to Wales in a virtual sense to complete a post-graduate degree in Protected Landscape Management at Aberystwyth.

Trusting that my comments are helpful.

Yours truly,

Ken J. Richards. MSc. MRTPI

Address:
26 Playter Blvd
Toronto. ON
M4K 2W2. Canada.

Consultation Document: Natural Resources Wales

Question 1: Integrated Management.

The proposal is ambitious and necessary. The Welsh government has declared sustainable development as a central operating principle and intends to apply the ecosystem approach to the management of natural resources and the environment in Wales. Passage of the Public Bodies Act at Westminster in 2011 and the resulting pressure to reduce the number of public bodies is an opportunity to design and put in place an organization that best meets the needs of Wales.

Question 3: Phased Approach.

The transition from a complex administrative situation to a New Body at the same time as the necessary legal framework is put in place poses a challenge. The establishment a Shadow Body (Section 7.1) at an early stage, as proposed, is an important first step to ensure that responsibilities are transferred effectively from the existing bodies to the New Body without the disruption of service and loss of public confidence in the government's ability to implement change effectively.

Question 4: Principal Aim and Strategic Outcome.

The proposed aim of the new body is:

'To maintain, improve and develop Wales' natural resources, to deliver benefit to the people and economy of Wales now and into the future.'

The proposed aim does not mention "sustainable development," (the government's central operating principle), or key functions such as "environmental protection" and "conservation."

Provincial and territorial governments across Canada have addressed the question of role definition during the past decade, as in Wales. The predominant pattern in Canada is that departments combine the management of natural resources with functions associated with environmental protection. A conscious effort has been made to ensure that sustainable development is included as a key element in their aims. The following example from the Northwest Territories is a typical example:

"The Department of Environment and Natural Resources promotes and supports the sustainable use and development of natural resources to protect, conserve and enhance the Northwest Territories environment for the social and economic benefit of all residents."

Consideration might be given to reviewing the proposed aim of the New Body to make provision for sustainable development, conservation and environmental protection.

Question 5: Delivery Framework.

Section 4.5 was one of the most difficult parts of the consultation paper to understand because of the bureaucratic way in which it was written. Section 6.4 provides a clearer account in this respect.

As I understand it, the delivery framework will comprise:

- Objectives with Success Statements (Annex 5)
- Annual Remit Letter
- Detailed Financial Management Memorandum.

The public would have been better informed if they understood the purpose and effect of these tools, and how these relate to other aspects of the implementation plan such as the Framework Document and Management Statement (or scheme of delegation), the two year probation period and the independent assessment.

Question 8: Research and Evidence.

Research is another section that is unclear. It is understood that the Welsh government will establish research priorities while the New Body will coordinate research either by outside bodies through the Welsh Environment Research Hub, conduct research in-house, or use a combination of the two approaches.

There is the danger that environmental research could become policy driven (top down), which is efficient, but might result in relevant investigations being overlooked. This could be addressed as a section in the in the Annual Remit to the New Body as an instruction to balance the research needs of the government with the opinions of scientists regarding research priorities.

Question 9: Governance, Accountability and Transparency.

The Welsh government intends to integrate the activities of three organizations into a New Body (Welsh Government Sponsored Body). The board of the New Body will comprise 12 members, although 15 members might be considered to allow for the representation of regional interests.

A personal preference is for the board to include a member of the proposed board with expertise in protected areas in view of the land area devoted national parks, areas of outstanding natural beauty and other protected areas in Wales. As an aside, I would welcome an evaluation of the full benefits that Wales derives from its protected areas as flagships of sustainability to counter comments in the paper delivered by the Chairman of the Forestry Commission Wales at the IWA Conference on Re-thinking Environmental Management in Wales in September 2011.

In Section 6.3, International and cross-border governance, the phrase “may need to deploy” downplays the importance of ensuring that Welsh interests are clearly represented on the international front, particularly at the EU. The proposed new laws will place Wales in a different position *vis à vis* natural resources and the environment which suggests the need for clear intergovernmental processes to be established with the UK government regarding the positions it adopts at the EU and at other international fora. Committees should be part of a clear framework of responsibilities not signals that the process works, as the report suggests.

Similarly, trans-boundary arrangements should be clear and subject to periodic review by the parties involved. The inclusion of a subsection regarding Cross-Boundary Management in Section 7, Managing the Change, is noted as a first step in the management of cross-border arrangements. The future of the Dee Conservancy or the establishment of an alternate body with a mandate based on the Sustainability Bill and the ecosystem approach is clearly a priority in this respect. In a broader sense, the river becomes a trans-boundary feature in the Chirk area.

A further consideration would be to make specific provision in the proposed legislation to empower the minister to enter into agreements and partnership arrangements with other governments regarding the management of natural resources and the environment.

Question 10: Stakeholder Arrangements.

The importance of effective engagement with stakeholders is clearly stated, although the abolition of long-standing committees, such as EPAC and FERAC, may be misinterpreted in some quarters. It would be expedient to include a reference to Stakeholder Relations in the Section 7. Managing the Change, to underline the importance of addressing this subject during the transition period.

Questions 11&12: Regulatory Arrangements and Other Related Issues.

The New Body might consider the establishment of an environmental registry. In Ontario, the registry, which has been in operation since 1996, is a computerized "bulletin board" system that contains ministry proposals and decisions for environmentally significant policies, acts, regulations and instruments. Canada's federal government has a similar mechanism under the Canadian Environmental Protection Act. This would be a tangible signal to stakeholders and civil society that the government and the New Body are serious about public participation.

Finally, the section 7.2 Managing the Legacy rightly addresses the importance of continued service delivery during the transition period to the New Body. The transition is also an opportunity to establish and put into practice a process of organizational learning and development that shapes the best features of the three original bodies into a responsible, integrated and cooperative organization that incorporates and applies the ecosystem approach.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 22 April 2012 22:40

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: /consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: Steve Bolchover

Organisation (if applicable):

Email / telephone number: stevebolchover@gmail.com

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

The main concern is that there will be a loss of checks and balances that have developed within the existing system. At present each of the three bodies addresses the environmental agenda from a different standpoint, and each of them is kept aware of the need to take account of issues beyond their own concerns because their proposals will be subject to open scrutiny by the others. Thus the Environment Agency takes account of the needs of biodiversity when proposing flood mitigation measures, because it knows that its activities will be scrutinised by CCW. The danger is that bringing the bodies together may weaken such influence, and furthermore may lose the opportunity to engender wider debate because the issues are discussed in private and outside bodies and individuals will not be aware of the issues and thus be unable to contribute to the quality of final decisions. There is also a concern that the present support to bodies such as biodiversity partnerships may be scaled down, and that grants and financial support available to these bodies and to environmental charities and local records centres will be cut.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

The strategic aim of the body does not include any reference to maintaining biodiversity other than as a “natural resource”. Strategic outcome 3 does address this, but the strategic aim is too narrow. It could be improved by referring to “Wales’ natural environment and resources”.

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

The proposal to appoint a board comprised of individuals drawn from a wide range of stakeholders is welcomed. However the list suggested in the text is relatively narrow in a field characterised by an extremely wide range of interested parties. It is suggested that there should be an expectation that some board members would be drawn from the voluntary and charity sector as well as from professionally interested bodies.

At present there is a wide range of bodies where stakeholder engagement takes place. It is hoped that the bodies organised by the three existing organisations continue. It is also important where officers from the three organisations participate in the work of outside bodies by providing invaluable advice and guidance continue to receive the same level of support. These include, for example, local biodiversity partnerships. It is also vitally important that the new body continues to support grant schemes at local and community level to fund environmental initiatives. Enthusiastic volunteers, local authorities and charities working in the environmental field depend on grant support

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve

the approach?:

to achieve many worthwhile initiatives. It is hoped that the overall scale of grant aid will not be reduced. The establishment of local records centres has been a significant step forward in improving biodiversity, and the centres have benefited from support from the bodies which are intended to be transferred to the new single body. It is important that the centres should continue to receive the same level of financial benefit under the new arrangements as they do under the existing ones.

Question 11: What are your views on the aspects of the regulatory arrangements?:

There are a number of difficult issues where officers from one part of the proposed organisation will be in a position where they are, in effect, policing and regulating officers in another part. These include the “self-permitting” functions referred to in the text. Such issues are not unique, but they require particular care in establishing barriers to improper influence within the organisation. It is also important that such arrangements should operate in an open way in order for public confidence in the organisation to be maintained. It is therefore suggested that independent external scrutiny of the arrangements is carried out, both at the stage when the organisation is established, and also periodically as it operates.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 22 April 2012 22:55

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: (Unchecked)

Your name: Mike Pitcher

Organisation (if applicable): N/A

Email / telephone number: 01970 880433

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

My view is that the WG has decided to create a new body as an administrative decision to enable the devolution of EAW. This is probably a fair objective, but it means that there is not enough substance in the consultation document to really make much comment. It feels like you are having to consult because it legitimises the process, rather than you want any substantive guidance on any specific details - I think this is because you do not really know what the new organisation is going to do or how.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

There has been a very effective and competent forest policy capacity within FCW, which has provided effective support to relevant WG Ministries. A key point is that forestry delivers against economic, educational, social welfare agendas as well as environmental. Its fine to create some additional capacity within WG - if that is necessary - but do not dilute what has been created in FCW and damage the contacts made across Departments.

Question 3: What are your views on this phased approach? How could we improve on it?:

You have not explained the phases- there is nothing to comment on - this is a non-question.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

These are fine - hard to argue with. What could be added is something about engaging with the people of Wales at an educational and cultural sense to help them value the environment and the goods and services it delivers. This is needed to support behaviour change.

Question 5: What are your views on the approach to the delivery framework?:

This is not clear and well presented. I do not get the impression you are clear on what you mean by a delivery framework.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

These are pretty inclusive.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

No comment.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

This is just not clear. Much of the research commissioned in terms of the environment is social - don't tie research up in cumbersome and bureaucratic procurement frameworks - make it responsive and light on its feet.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

I think there are probably lots of options that could all be made to work fine. The key issue is how you are going to manage the internal tensions between the "conservation" tradition and the "sustainable development" tradition - wind farms being a good example.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Similar point to the above - to what extent will the tensions referred to above be resolved internally, or externally.

Question 11: What are your views on the aspects of the regulatory arrangements?:

No comment.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

No - as stated up front - you have much flesh to still put on the bones - it would be appropriate to consult again when you have more detail to comment on.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 23 April 2012 10:10

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Jenny Edwards

Organisation (if applicable):

The Environment Centre, Swansea

Email / telephone number:

jenny@environmentcentre.org.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

I am concerned that it may water down the voice that the environment has. At the moment if the opinion of WG is wanted then CCW and EA are asked to respond. The worry is that if there is only 1 body then only one opinion and voice will be heard. I am also concerned that page 23 is trying to remove badger control from the body, which could cause protection to be weakened and for it not to be seen in the wildlife context. The EA is a UK body, I am concerned that removing the Wales EA will cause problems for UK wide working and collaboration and also staff may feel isolated and their career progression affected.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

It is crucial that the specialist knowledge of each part of the new body is recognised and given the level of say they have now. At a time when central government seems to be suggesting less say in planning locally a strong voice nationally for protecting the environment is needed, not a time when we can afford for less of an impact. I am concerned that page 9 of the document suggests things will be loosened up.... The EA in the rest of the UK needs to have a say and a careful look at working together taken. Careful thought needs to be given to wildlife protection. It needs to be done in context.

Question 3: What are your views on this phased approach? How could we improve on it?:

A big change like this is best done in phases. I think April 2013 is too soon though. Whenever it happens it must be clear at all times to someone from the outside what roles different parts are playing and how we contact people.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

See first 2 points Although a separate policy advisory group sounds good - I am concerned that the voice for the environment will be diluted and that this group may become divorced from what is happening on the ground.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Area offices have a key role in gathering evidence of environmental issues on the ground in Wales to inform interventions. Amalgamation should not be allowed to weaken this role. Ideally research should be done area by area too.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

The Board needs to be carefully balanced given the wide range of roles the new body will have. A welsh voice internationally is very important and more work needs to be done to ensure this.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 24 April 2012 12:55

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email:

/consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Dr Michael Gandy

Organisation (if applicable):

Celtic Energy Ltd

Email / telephone number:

mgandy@coal.com (Tel No. 02920 760990)

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

In general terms, Celtic Energy would support the principle of a single Environmental body for Wales for the sake of sustainable management and development of Natural Resources in Wales, and not just as a streamlining exercise. If there is to be greater transparency, consistency, accountability and understanding of customers' business needs and greater responsiveness, that is to be welcomed. It should avoid duplication and be far more transparent in its role. However, it must have appropriate terms of reference and structure, and above all, it should be capable of delivering effective management of resources both natural and functional (i.e., financial and skills). The coal industry is a keen supporter of environmental regulation but such regulation must be relevant to the tasks and issues faced by the minerals industry. Coal is a natural resource that is available for development in a sustainable way, and that should be acknowledged in terms of culture and procedure.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Following on from the answer to Question 1, Celtic Energy would emphasise that the body needs to be fit for purpose in not only addressing the environmental protection of resources but also be able to respond to stakeholder questions and issues of relevance. Consultations must be completed within a reasonable set timescale, and staff within the proposed body should be competent enough to understand the needs of the coal industry and the economic environment in which it works. As with the industry, the challenge is to do this whilst managing the environmental issues associated with development. Any delays in implementing the changes could be detrimental to the economic performance of Wales and could endanger environmental management. The new body must be equipped to take on the cultural changes required. Rather than adjusting to the loss of skills and relationships set out in Annex 3, the issue is the bringing in outside business and private sector skills. It is insufficient to appoint senior managers from within. As it stands, it is a public body charged with redesigning itself. Reference is made to buying in expertise to make up for loss of skills – this is not welcomed as it doesn't bring culture and commitment that is required in a new body.

A phased approach as suggested in 7.1 is to be welcomed to avoid disruption, but as it stands it is restricted to the legalities of new and old administrations running in parallel – the driver appears to be about streamlining the body's administration and not maintaining efficiencies for the customer's business. Since functional parts will have different roles and cultures, these need shadowed too. Concern would also focus on the timescale associated with a phased approach. There is some scepticism about the effectiveness of harmonisation of IT and procedures between the current and proposed organisations, and the risks therein should not be under played. What is more, there appears to be no realistic appreciation and mitigation in Annex 3. If the stages are coordinated properly then delays should be minimal. However,

Question 3: What are your views on this phased approach? How could we improve on it?:

the potential for delay between use of powers under the Public Bodies Act 2011 to create the new body and the review of priorities is significant particularly as additional consultation is proposed. Such delays however long they may be could be damaging to both the aspirations of the new environmental body and stakeholders.

The short answer to the first part of the question is yes. However, the responses to the earlier questions apply equally here. There must be a sound basis for the body, e.g. experience, knowledge, understanding, approach, reasonableness and foresight. The five strategic outcomes are noted but there is potential overlap between the first “Contribute to protecting public health and safety and to promoting economic, social and environmental well-being and outdoor recreation” and the existing role of Local Authorities and other Protection Agencies (HSE). Similarly the reference in the second strategic aim to prevention of diseases is curious given the role of the Health Protection Agencies. Are these plant, animal or human diseases? If improvement is necessary, it should be to ensure that the new body maintains its intended role and does not slip into other areas of control. The outcomes are in effect driven by a strategic ecosystem approach, which in turn, is driven by biodiversity aspirations. Celtic Energy would like to see more balance and recognition that the mining industry is a net contributor to biodiversity gain and hence the aspired overall outcomes.

The example of a delivery framework in Annex 5 is noted. Overall the objectives are supported but again, the issues of relevance and appropriateness must be stressed. The international dimension mentioned on Objective 8 in relation to Waste is puzzling, and brings into question the extent of the role of this new body. Sustainability objectives are central to the framework and that is welcomed providing there is a clear link between environmental management and the “presumption in favour of sustainable development”. The objectives under the heading “More for Customers” and “More

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

for staff” are interesting and deserve support providing that they achieve their aims. Developers are not likely to be content if barriers or unnecessary delays are placed in front of viable schemes that have been balanced economically and environmentally. Expectations of customers must be met. What this body must avoid is extending its remit too far and introducing too much control over development whilst trying to address macro environmental issues such as climate change. Wales is only a small but significant part of the picture, and whatever management is proposed must be consistent with what is reasonable in scale and degree. Measuring success appears to be too focused on the running of a public organisation and not outcomes for the customers who in fact will deliver ‘Living Wales’ through economic performance. There is too little said about the body listening and understanding the customer’s needs; nothing about finding solutions rather than problems; nothing about meeting the customer’s deadlines and too much about meeting its self-set governance targets!

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Table 1 contains a reasonable summary of the existing powers and how they may be consolidated. Table 2 is more of a puzzle in as much as the context of the functions should be explained. It is rather worrying to read such bold statements relating to acquisition of land, underaking of engineering operations (potential conflict with planning powers) and acceptance of gifts as examples. This should be explained. Table 3 is reasonable.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Celtic Energy does not see any particular merit in changing the current functions and would support option (ii) (paragraph 5.3.3) in that regard. Celtic Energy has no comments to make on the other Marine related objectives. It is essential that wildlife licensing is undertaken outwith the new body and by the Welsh Government for reasons of transparency and independence of policy and culture. There seems to be an inconsistency with respect to this matter in section 6.6.2 wherein it is suggested that the new body is self-licensing.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Question 11: What are your views on the aspects of the regulatory arrangements?:

Celtic Energy would support environmental research providing that it is focused on what is relevant rather than mere academic pursuit. Such research should be cost-effective. The research should be coordinated by Welsh Government to ensure it is focused on delivering evidence based solutions. Co-ordination with other parts of the UK and Europe should be encouraged.

The new body should have the necessary governance and management structure and also financial basis to enable it to undertake its functions in an independent and wholly scientific manner. Whilst being accountable to the Welsh Government, it should be entirely clear of any political dimension. The proposals as set out are therefore supported.

The text set out in the first paragraph of Section 6.5 is supported entirely. Effective engagement with stakeholders is a key to success. It is noted that the existing arrangements would need to be changed to ensure avoidance of duplication. The establishment of local committees is an interesting proposal and one in which that Celtic Energy may be willing to participate providing there are clear terms of reference and objectives.

The proposed regulatory arrangements do not appear to raise any specific concerns.

Minerals constitute one of Wales' Natural Resources. Coal is as important as any, and the new Environmental Body should place no unnecessary or inappropriate hurdles in front of the industry. The new body should be charged with the task of effective environmental management without any pre-conceived ideas on what forms of development are acceptable and what are not. It is noted in section 3.3 that the definition of the ecosystem approach is to follow the restructuring. Celtic Energy would comment that in doing so, there should be customer consultation and balance in the evidence required. There needs to be more of this in the formulation of the new body. Equally, there needs to be clear and balanced policy with explanation and guidance prepared before this is exercised by the new body.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

Little is said about SSSIs and European designated sites and how the new body will deal with these. Celtic Energy would like to see wider representation from the business community on committees dealing with these. Annex 2 of the Consultation Paper discusses a number of important background issues, and sets many in the context of the EC's Resource Efficiency Roadmap. In doing so, it rightly identifies that Wales is facing similar pressures to those elsewhere. Whilst it is entirely proper for Wales to establish procedures for dealing with these pressures, the realities of the wider environment must be taken into account in a realistic way. It is not the role of any new body to act in a manner that would restrict development unreasonably or introduce management that is potentially detrimental to the economies of the Wales and the UK. Annex 2 also identifies the benefits of amalgamation in terms of Planning Applications, Consent Orders and Regulation. They are all to be applauded for reasons of efficiency, avoidance of delays and value for money.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 24 April 2012 13:15

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: </consultations/forms/sebresponse/>

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Roger Davies

Organisation (if applicable):

Golygfa Gwydyr

Email / telephone number:

rogerd@golygfagwydyr.org

Bringing together the three bodies has the potential to facilitate pro-active environmental management by grass roots community woodland groups. This in turn could be the powerhouse of the integration of woodland management and the use of woodland resources across the landscape i.e. we have examples of successful community woodland initiatives which start with one small wood and grow to include woodlands within the valley. However, careful attention needs to be paid to the structure of the new body if this is to happen. Learning from our cumulative experiences of working with local FCW and CCW officers we suggest that:

- The ideal configuration for the new body would be 'flat' with a HQ able to provide high quality technical expertise and required regulatory and administrative functions directly to Area offices which would be the interface with the environment (management and monitoring functions), communities (advice, grant support, access to WG forest land), contractors (local procurement and sales) and public (education, recreation etc). Area offices do not need be identical and some may have more or fewer staff and accommodate specialist teams – the important point would be they all can provide the same public-facing service.
- Areas should not be larger than existing FC Areas and offices should be in both urban and rural locations. Area boundaries should be aligned with topographic features e.g. watersheds to facilitate operationalisation of landscape-scale environmental management.
- Partnerships between land managers within an Area should be encouraged and supported and expressed in the form of Area development plans which should be

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three

bodies together and creating a single environmental body for Wales?:

reviewed against local authority RDP aims and outputs. Plans will need to be funded but this can come from many sources including in kind contributions from the communities but there will need to be seed and match funding from the new body. It is important that the plans include the public forest estate. • Area officers should be able to provide advice and support for biodiversity conservation, woodland management, access and management of water resources to land managers and others within their Areas. Officers should ideally live within their areas and have an intimate knowledge of the local environment and accessible so communities can establish a face-to-face relationship with them. • Area officers should be empowered, with suitable oversight, to make decisions on local matters and have these supported by the body. Examples of such decisions might be an agreement for a community event in a public woodland or arranging small-scale sales of timber to local enterprises and doing away with centralised WHAM systems and bureaucracy. • Area officers should be supported by a lean and efficient headquarters with good communications between policy, action and evidence. They should have the ability to call in specialist advice from HQ and elsewhere as needed. • Area officers should have flexibility to make small-scale changes to the FDP to enable greater engagement with communities wishing to manage forestry resources where appropriate woodlands have been identified. • There should be resources targeted at sustainable communities and well-being and there should be targets for achievements in these areas.

We are pleased to hear that the new body will be required to retain the public forest estate and will have a duty to support the role of woodlands in the rural economy. However, the question of the purpose of public forest estate remains unclear. Is it a resource for the people of Wales to use and enjoy with the new body as a custodian or is it an economic resource for the new body or government treasury? Golygfa Gwydyr would argue that it should be the former and that the resource should be considered the inalienable property of the people of Wales and not the private estate of government. The destination and use of revenues flowing from the use of this capital (car park fees, franchising, timber, wind, hydro, coal etc) is also of concern – is this to be reinvested in forestry? We remain concerned about the internalisation of forest policy to Welsh Government – experience with the integration

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified

in section 2.4 or any other concerns which you have?:

of grant support to forestry with Glastir has not been good. Much that was of value to community woodland groups and supported economic development of woodlands has been lost and there is a feeling that forestry stakeholders are not valued by Glastir administrators. It may be that an internal forestry policy team may be better able to access RDP, other funding opportunities and represent forestry as an important contribution to other departments in the Welsh Government. However, the risk is that a small team isolated in Cardiff may become distant from realities on the ground and have little influence on wider environmental policy. Agriculture is a big player in RDP – we remain sceptical that a small internal, subordinate team on forestry issues will be heard.

Question 3: What are your views on this phased approach? How could we improve on it?:

The timetable for establishment of the new body is very tight with little time for reflection and stakeholder discussions. For example, it appears there will only be a few weeks between the close of this consultation and the appointment of the Chairman, Board and Shadow Body. We are concerned this is insufficient time for the plans for the new body to reflect the results of the consultation. We understand that a rapid transition to the new body is required to minimise disruption and uncertainty but this needs to be tempered with reflection and careful consideration of alternatives. Given the importance to the new body of the provision of advice and support to partners in the delivery of the NEF perhaps there should be more opportunities for in-situ consultation with existing clients to develop the public interface for the new body.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Despite a few tweaks to the phrasing there is little to object to in the aim and outcomes as presented here. Outcome 1 could perhaps be better phrased: why is public health, safety and outdoor recreation singled out – are they not part of social well-being? In outcome 2 it may be better to say ‘non-native’ than ‘alien’ species. Outcome 3 needs to be reconciled with outcome 5 and ecosystems allowed to change and restoration to be forward as well as backwards looking. In outcome 4 how is consumption different from use? Should there be something about a sustainable flow of materials to meet local needs for provisioning services (e.g. wood) and as a basis for a sustainable rural economy? Judging whether the proposals for a new body will achieve this aim and outcomes is difficult without further details of the form, powers and modus operandi of the new body. This is perhaps something for later

consultation when there is more clarity and detail on the new body.

The tabular approach to outcomes, objectives, targets and indicators is a standard one and is broadly similar to the Woodland for Wales strategy, its associated Action plan and the Corporate Plans for FCW. It is a sensible approach though there is a lot more to do to integrate the elements drawn from FCW, CCW and EA and present them in a coherent manner.

Question 5: What are your views on the approach to the delivery framework?:

What is more of a concern is the lack of any clear links with the Woodland for Wales strategy and its associated Action Plan. Section 4.2 says that the new body should deliver existing Welsh Government environment strategies – if this is the case then there should be explicit cross-referencing to the various strategies to ensure that nothing is missed out and that existing strategies and the partnerships established to deliver them are maintained.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

The SEB must be joined up to strategies and policies from the NEF and SD Bill. We are pleased to see ‘Community use and management’ in Table 1 as an example of work towards ‘Sustainable use and management of forests’ we would be willing to work with the Shadow body to flesh out the operationalisation of this function.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Glastir – we can see that transfer to the new body of elements of Glastir from the Welsh Government may be risky until the new body finds its feet and CAP reforms are completed – there are significant problems with the forestry element of Glastir emerging. The new body will need to have direct access and influence with the Welsh Government Glastir development and administration to safeguard delivery of timely and commensurate payments for forestry and biodiversity conservation in a manner which supports existing woodland management plans. It also needs to have a function in the development of other RDP strands to support economic development based on natural resources.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

A missing element in this is the role and value of citizen science. Through NGOs such as RSPB, as communities of people caring for local environments (Golygfa Gwydyr members) and as amateur experts the people of Wales are very much interested and engaged in environmental monitoring. There is much that could be done using participatory research techniques to develop the contribution of citizen science to research and monitoring not just of the environment but also of the delivery of ecosystem services. We suggest that this should be an additional function of the new body.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Golygfa Gwydyr is not able to comment on the details of the relationship between the new body and the Ministers – we presume that the Audit Office will ensure that the new body is indeed independent, delivering what is required and acting within its mandate. What is missing from the proposals is public accountability. There should be strong and transparent oversight of the work of the new body by stakeholders and representatives of civil society. There are many possible structures for such a body – the important point being that representation should be accessible to all and have the power to call the new body to account.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

We are happy that there will be opportunities for the development of novel and innovative ways for the new body to engage with stakeholders. This should be on an Area as well as subject basis and consultation should be part of the modus operandi of the new body. We are concerned that the statutory role and powers of the National Committee for Wales are to be subsumed into the Board. This together with the lack of a formal oversight body means there is no high level independent scrutiny or powers to call the new body or its relationship to the Welsh Government to account. This maybe a required function especially to adjudicate in disputes as provided for in present statute. Certainly public confidence will be enhanced if the body has to be publically accountable to an independent body. The new body will need to continue present FCW sponsored stakeholder engagement with Glastir and more generally with the development of future RDP programmes. There should be formal links between the new body and Local Authority Rural Partnerships managing RDP programmes. Since forest policy development and monitoring is to be taken into Welsh Government and WSAP is

apparently to be disbanded we hope there will continue to be a mechanism for stakeholder consultation on policy evolution and monitoring. The proposals say nothing about this – will this be provided by the new Policy team? Or might it be sponsored by the new body? It is important that stakeholder consultation on forestry policy is maintained.

Question 11: What are your views on the aspects of the regulatory arrangements?:

At present FCW does not require or issue felling licenses to itself for five year felling periods. The felling and associated re-stock and landscape design plans are bundled together as three maps which are designated the ‘Design plan’ for each forest block. There is a presumption for local consultation on these with statutory bodies (e.g. Community Councils), CCW, CADW and also with interested local stakeholders. We would like to see the Design Plans evolve into true Management plans with greater local consultation and engagement in operations, use of timber and development of social benefits. In addition, we wonder whether there should perhaps be more accountability on the operation of these plans and this could perhaps be achieved through the introduction of a more formal process for regulating felling on the public estate.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

We are concerned that the new body may represent a greater move to centralisation of power across the functions of the existing three bodies in Wales. Whilst acknowledging the requirement for some centralisation of functions, which will provide opportunities for economies, we hope that more decision making power on day-to-day operations of the new body are decentralised to local area offices. This will enhance a local public facing role and allow greater local integration and ‘buy-in’ to the operations of the new body.

From: Malcolm Smith [malcolmsmith@penybryn203.wanadoo.co.uk]

Sent: 24 April 2012 09:55

To: SEB mailbox

Subject: NATURAL RESOURCES WALES

Attachments: Natural Resources Wales.doc

Dear Carrie Moss

I have attached a response to the Welsh Government's consultation "Natural Resources Wales" from myself and Paul Loveluck. We are happy to answer any queries that might arise and we are perfectly content for our response to be publicly available.

Dr Malcolm Smith

Natural Resources Wales

A response to the Welsh Government Consultation Document from:

Paul Loveluck CBE (Chief Executive CCW, 1996-2002) and Dr Malcolm Smith (Deputy Chief Executive and Chief Scientist CCW, 1996 -2004 and Environment Agency Board Member for Wales 2004 - 2010).

Summary.

1. There are strong arguments for the proposed merger of CCW, EA Wales and FC Wales in the savings which should accrue from rationalisation of central services, in a more unified and better integrated organisational face to stakeholders and a more focused policy direction provided by the Welsh Government.
2. While we endorse the Ecosystem approach as the framework within which the new body will operate, we would like to see clearly articulated the relationship between the Precautionary principle (as exemplified in National Park legislation) and the system the Welsh Government hopes to bring in to effect.
3. We would advise caution in the speed at which resource savings might occur. History suggests in particular that the merger of systems and the new IT support required are difficult and almost always more costly than originally anticipated. We would also advise caution in the speed at which the Welsh Government moves from simply transfer of functions to the new body using the powers in the Public Bodies Act 2011 to new primary legislation. Environment law is a difficult field with international ramifications and requires significant expertise both in drafting and scrutiny stages.
4. A significant concern we have with the current proposals is that they do not address adequately the likelihood that genuinely held differences of judgement between experts in the organisation will be submerged in a monolithic 'organisation' view. This could be held to be a democratic deficit and we think it is sufficiently serious to suggest some safeguards against it occurring.
5. The ethos underlying the proposed reforms is not simply about the merger of 3 executive organisations but also the division of responsibility between the policy making functions of the Welsh Government and the executive action of the new body. We subscribe strongly to the position as set out in the consultation that it is for Welsh Government to set overall policy for the new body and for the new body to implement such policy. We are concerned, though, that this distinction in role is not consistent, for example in relation to licensing arrangements where policy can be readily set by Government, leaving the new body to administer it. Of more concern to us is the proposal that Welsh Government should administer the agri-environment scheme, Glastir, a delivery mechanism central to the new body's functions of promoting habitat protection, recreational provision and other key deliverables.

Comments on Section 1

6. We note the reference to the consultation paper, Sustaining a Living Wales, and endorse the principle of the 'Ecosystem approach' which looks at the environment as a whole and its relationship to economic needs, health and well being. To bring this into effect the Welsh Government proposes both institutional reform and the simplification of the regulatory and management framework through new legislation on the environment and on planning.

7. Neither in this consultation paper or in Sustaining a Living Wales is there a clear articulation of the relationship of the 'precautionary principle' (where, if there is not enough evidence to assess fully the risk of an action, it is better to avoid it) to the Ecosystem approach. The Precautionary principle has been hitherto the ultimate safeguard of environmental interests in the balancing which has to be done with economic and social considerations. We believe the role which the Precautionary principle will play needs to be spelled out if only because initially the new body will be operating on the basis of powers and duties transferred under the Public Bodies Act 2011. Ultimately the proposed new legislation may embrace the Precautionary principle within its framework. However given the complexities involved in environmental law including its international dimensions, The amount of work and expertise required in drafting and scrutiny should not be underestimated. A realistic timetable should be set.

Comments on Section 2.

8. We agree with the conclusion that of all the 4 options considered, the most appropriate is a new single body. And that it should play a key role in implementing the Ecosystem approach. Section 2.2.2 holds out the promise that management better suited to the needs of Wales will ensue. There should, however, be more overt recognition that our stakeholders in the management of the Welsh environment include those living in England and elsewhere in the EU and that our management of our natural resources needs to reflect their interests as well.

9. The timetable for the merger is 'challenging' and it is more important to get the transition 'right' than it is to strive for an unrealistic early date. In point if April 2013 cannot be achieved in good order, it ought to be moved to the start of a succeeding financial year. Mid year transfers are notoriously difficult.

10. We note the detailed work which has been done on the business case and the proposed mitigation to the risk to 'business critical activities'. While we are not in a position to challenge the judgements that have been arrived at, we note two areas which experience has shown give rise to considerable difficulty. The first is the issue of pensions, which are of great concern to staff and which require meticulous attention to the likely impact of proposed changes and extensive consultation. The second is the merger of central information and control systems which are IT dependent. The Business case assumes the cost will be at the upper range of the estimates. Experience has shown that even upper rangers are generally exceeded (sometimes very significantly) and take longer to introduce than anticipated. This is relevant both to the overall cost of the new systems and the timing of savings. We advise caution in relation to these issues.

Comments on Section 3

11. We agree with the proposal for a phased approach using the Public Bodies Act 2011 to transfer legal powers to the new body and subsequently to consolidate and modernise legislation using Part 4 of the Government of Wales act 2011. Bearing in mind the view we have expressed in para 7 above about the scale of the task in bringing forward new legislation, we think it would be advisable to allow the new body a settling in period before beginning the process. The Government will certainly need detailed advice from the new body on how the new legislation might be framed for sensible application and it would be as well if the new body was able to 'focus' on this rather than be caught up with the mechanics of the merger.

Comments on Section 4.

12. See comments in para 7 above on the need to articulate the relationship between the precautionary principle and the ecosystem approach.

13. In 4.4 setting out the proposed Aims of the new body, there is no overt reference Wales' landscapes and seascapes which are important for their intrinsic worth and because they are the most important asset for our tourism industry,. This should be rectified in a redraft of the overall statement of Aims and by appropriate reference in the strategic outcomes to be set.

Comments on Section 5

14. We strongly support the clear distinction that needs to exist between Welsh Government setting strategic policy and the new body conducting operational delivery to implement such policies. The creation of the new integrated environmental body is also an unparalleled opportunity to rationalise existing arrangements to best effect. A good example, in our view, is the need to set forest policy (5.3.4) within Welsh Government and forest operations in the new body. Likewise we see merit in incorporating the responsibilities and functions of the IDBs (5.5) in the new body. But there is a lack of consistency in other proposals. While Marine Licensing (5.3.2) will be delivered by the new body, the proposed arrangements for Wildlife Licensing (5.3.3) incorporate a "mix and match" solution, causing unnecessary complexity for a function where strategic policy can be set readily by Welsh Government and the schemes administered by the new body. The consultation document also proposes that Welsh Government administer/deliver Glastir (5.3.5), an important delivery tool implementing practical environmental improvements and access/recreation provision central to the responsibilities of the new body. In our view, Glastir is an excellent example of a scheme in which strategic policy aims should be set by Welsh Government and delivery of the scheme done by the new body.

15. The Research and Evidence section (5.4) makes no mention of the central role of the JNCC in funding and conducting UK-wide environmental research and monitoring involving, and being relevant to, Welsh interests.

Comments on Section 6

16. The proposed arrangements for Governance are similar to those for other ASPBs. We have a concern that the decision making process by the new body is going to be less transparent than in the present situation because the process of 'synthesis' to come up with a 'new body view' will disguise the internal debate in which the Board, the Government, the Assembly, corporate stakeholders and the public at large all have a legitimate interest. It is important that the decision making process should reflect the debate, which could be on whether all relevant facts have been properly presented but also about the judgements made on such evidence. We have seen a recent example of this in the differing views of CCW and the EA on the possible impact of the discharge from the new Pembroke power station on the Milford Haven Waterway. Arguably it is in the best interest that such debate be in the public domain and we are of the view that Welsh Government should set out proposals to address this perceived democratic deficit (see 17 below).

17. The proposed Framework Directive and Management Statement which the Government will issue to the new body should seek to ensure that the Board of the new body receives all relevant views on issues it has to consider and that these should be reflected in Board papers and Minutes which should be available to the public. Many organisations now run 'whistle blower' schemes to provide an avenue to governing bodies which can assist in ensuring an open culture.. In addition the new body's Audit Committee and the annual audit arrangements should test that systems are in place to ensure the Board is receiving all relevant information and the views of all relevant staff.. There should be similar regular audit scrutiny of self permitting arrangements, of the SEA and Habitat Directives and of conservation advice.

Paul Loveluck CBE
Dr Malcolm Smith
April 2012

From: Communications [communications@wales.gsi.gov.uk]

Sent: 24 April 2012 17:10

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email:

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

David Sulman

Organisation (if applicable):

United Kingdom Forest Products Association

Email / telephone number:

dsulman@ukfpa.co.uk / 01786 449029

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

The delivery of more integrated management by amalgamating the three bodies to form a single environmental body for Wales has the potential to bring about improvements in value for money and delivery; however, more detail is required to enable us to comment further. The scale and complexity of this task should not be underestimated. The new body brings together three very different organisations, each with their own culture and managing the change will require care to ensure that the initial objectives are achieved and that there is no loss of focus on the needs of the clients that the new body will serve. It should be noted that since devolution, the focus of Forestry Commission Wales has moved away from commercial (productive) forestry and the needs of the domestic wood processing sector in Wales, in favour of greater emphasis on environmental and social aspects of forestry, the result is an unbalanced approach to forestry. Elsewhere in the United Kingdom, sustainably managed forests in the public sector have generally retained a balanced approach to management and delivery of economic, social and environmental benefits from the public forest estate. It is to be hoped that balance can be restored in Wales, thereby allowing the forest products sector to increase its contribution to sustainable development in Wales. The public forest estate has a valuable role to play by ensuring the continued supply of wood. Failure to restore the balance will have very serious

impacts for businesses in the forestry and forest products sector in Wales, with business failures and job losses, especially in rural areas, likely to be a consequence.

As is acknowledged in the consultation document, the forestry and forest products sector in Wales had expressed concerns about the potential impact that the establishment and operation of the new body could have on wood supply. Whilst it is noted that certain assurances have been given in response to these concerns, businesses in the sector remain nervous about the operation of the new body. It is essential that there is effective communication between the new body and the forestry and forest products sector in Wales, to ensure that there is no further loss of confidence amongst businesses. Continuity of wood supply is a key requirement for continued business confidence, which in turn influences investment programmes. Businesses have already seen a significant reduction in wood production from the public forest estate in Wales, which has caused problems in the wood supply chain and business confidence suffered as a consequence. Increased planting of productive conifer crops must be a priority for the new body, so as to increase wood production from the public forest estate in Wales. There is a compelling case for increased tree cover in Wales.

An orderly transition is essential. Similarly, the programme of change should be at such a rate so as to ensure the cost effective delivery of objectives. The phased delivery approach requires careful management and scheduling, so as to avoid rushing change, or to prolong the change process unnecessarily, both of which would have negative consequences that could adversely affect the operation of the new body, at least in the short term. It is important that the new body gets off to the best possible start.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

It is very encouraging to see that the new body will have a clear commitment to sustainable development. Trees, woods, forests and forest products play a major role in sustainable development and we hope that every opportunity will be taken to maximise these benefits. More ‘joined-up’ thinking within the Welsh Government, involving the new body, will be vitally important if the benefits associated with sustainable development and the important contribution that wood and wood products can make, including helping to mitigate the effects of climate change, are to be realised.

The delivery framework model described appears to be appropriate. We would expect ‘Woodlands for Wales’ to be a significant document in terms of informing and directing the new body’s focus for the woodlands and forests of Wales. This Welsh Government strategy has an important role to play in enabling the woodlands of Wales to provide maximum benefits for the people of Wales.

The functions described in tables 1-3 appear to be a reasonable summary of those required, however, we note with concern that there is no stated requirement for expansion of the public forest estate in Wales, or increased emphasis on productive conifer forestry in Wales; both of which would make a significant contribution to sustainable development in Wales. The role of the public forest estate in Wales in supporting the delivery of sustainable development objectives should not be underestimated.

We have concerns about proposals relating to Tree and Plant Health; it is important that there is no duplication of effort and furthermore, the new body must work closely with the Forestry Commission in Scotland and England and associated Government Departments and Agencies in relation to tree and plant health matters, so as to ensure a cost-effective approach. It must be noted that pests and diseases do not respect political/national boundaries. It must also be noted that threats from pests and diseases to trees and plants are becoming more frequent, more serious and of greater economic significance. It is essential

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

that adequate resources are provided for this very important function.

We have concerns about proposals relating to Tree and Plant Health; it is important that there is no duplication of effort and furthermore, the new body must work closely with the Forestry Commission in Scotland and England and associated Government Departments and Agencies in relation to tree and plant health matters, so as to ensure a cost-effective approach. It must be noted that pests and diseases do not respect political/national boundaries. It must also be noted that threats from pests and diseases to trees and plants are becoming more frequent, more serious and of greater economic significance. It is essential that adequate resources are provided for this very important function.

We broadly agree with these proposals. However, given the environmental, social and economic significance of forestry and forest products in Wales, it is essential that this is reflected in the composition of the Board of the new body. It is important to differentiate between forestry and forest products interests, both have a role to play in the governance of the new body. It is essential that the governance arrangements of the new body are balanced, so as to adequately represent the many and varied interests which will be the responsibility of the new body.

Effective engagement with stakeholders is essential for the success of the new body. The UK Forest Products Association and its Members in Wales have, over the years, developed a very positive working relationship with Forestry Commission Wales and with the Welsh Government and successive Forestry Ministers. It is important that this dialogue continues via the new body. We are concerned that moving forestry at least one step away from Government and its inclusion in a multi-discipline body, whose emphasis may be biased towards environmental matters, could be a negative development. It is essential that the voice of the forest products sector in Wales is not diluted by other interests within the new body.

Question 11: What are your views on the aspects of the regulatory arrangements?:

Given the current roles and responsibilities of the three bodies that will form the new body, it is important that any potential conflicts are identified and addressed immediately, so as to avoid operational problems. There must be clear focus on sustainable development, which takes into account environmental protection. The needs of businesses and the important role that businesses play in sustainable development must never to be overlooked by the new body.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: dialsquare1962@talktalk.net

Sent: 24 April 2012 23:05

To: SEB mailbox

Subject: Single body consultation period closing 02/04/12

Hello,

I would like to add the following views to the public consultation on the Single Body for Wales.

The Environment Agency currently uses its' own National Laboratory Service to analyse all water and soil samples taken in England and Wales. The National Laboratory Service has a number of laboratories and one of these is situated in Wales at Llanelli, Carmarthenshire.

The Welsh Government now has an opportunity to utilise the scientific knowledge, expertise and experience of this Laboratory to enhance the capabilities of the new Single Body for Wales.

The consequence of not including this Laboratory in the Single Body would mean all analysis and water quality instruments would be sent to England, resulting in job losses in Wales.

I am sure that the creation of the single body will be an exciting and challenging time for all involved and would like to see the Laboratory at Llanelli being able to play its' part in the future of the single body.

Carol Terrill

From: Richard T Williams-Bulkeley [bulkeley@btconnect.com]

Sent: 25 April 2012 10:49

To: SEB mailbox

Subject: Natural Resources Wales Consultation

Attachments: Notes on Consultation Document 170412.docx

Please find attached response to Question 11 re Section 6 – Governance Accountability and Transparency

Natural Resources Wales – Consultation

It is noted under *Section 6 Governance, Accountability and Transparency* that “Welsh Ministers would not be part of the decision making process. They would retain their appellate role and call-in powers and would have powers to direct.”

It is to be hoped with the establishment of a new Welsh Government Sponsored Body covering the roles of the Countryside Council for Wales, Environment Agency Wales and the Forestry Commission that a fair, properly democratic system of appeal can be brought into being so as to be sure officialdom abides by the rules of natural justice.

To date, the procedures adopted by the Countryside Council for Wales under Section 28.2 of the Wildlife and Countryside Act 1981 have, in practice, failed to give confidence to objectors (for example in relation to the designation of Sites of Special Scientific Interest) that they have been dealt with fairly.

A ten minute session for an objector to make a presentation before the above Council, and with no opportunity for cross examination of the officials proposing designation, followed by adjudication by the self same Council, in effect being judge and jury in its own interest, hardly accords with natural justice.

Examples of lapses by the above mentioned organization include the following :

- a. The employment of a marine biologist to carry out a survey of an upland woodland in connection with the intention to designate the wood as a Site of Special Scientific Interest.
- b. The failure to carry out an adequate survey to justify designations of SSSI/SAC until just two days before the relevant adjudication session was held.
- c. The putting forward of incorrect information, as to the presence of species of lichen within a wood, to support the case for designation as SSSI.
- d. Members of the CCW Council whispering amongst themselves whilst an objector was making his presentation – thus demonstrating their unfitness to adjudicate.

With regard to the operations of the Environment Agency –Wales, just recently this organization has been attempting to extract money, by way of Drainage Rates, from farmers / occupiers within the Internal Drainage District of Malltraeth Marsh without complying with the requirements of the relevant Land Drainage Act.

I am aware that the new body will be dealing with a multitude of statutes involving different procedures, however I would respectfully suggest the Welsh Government might consider the establishment of independent panels to hear appeals and objections modelled perhaps, as an example, upon the Agricultural Land Tribunal Wales, that is with a lawyer as chairman supported by suitably qualified “lay” persons who are not beholden to government.

Sir Richard Williams-Bulkeley Bt. FRICS

24 April 2012

From: Davies, Corrie A [corrie.davies@environment-agency.wales.gov.uk]
Sent: 25 April 2012 15:26
To: SEB mailbox
Cc: Mills, Chris; Davies, Ceri; Gilder, Pam; Williams, Sarah; Johnson, Andrew
Subject: EAW Response to Natural Resources Wales Consultation (WG14766)

Attachments: 12 04 18 EA Single Body response.doc

Dear Carrie

Please find attached the response by Environment Agency Wales to the Natural Resources Wales Consultation.

I would be grateful if you could reply to this message as acknowledgement of your receipt of the response.

Many thanks

Corrie Davies
Consultations Officer

Tel: 02920 466139

email: corrie.davies@environment-agency.gov.uk

Address: Environment Agency Wales, Ty Cambria, Newport Road, Cardiff, CF24 0TP

Gall yr wybodaeth yn y neges hon fod yn gyfrinachol, ac yn gyfreithiol freiniol. Os ydych wedi derbyn y neges hon trwy gamgymeriad, rhoddwch wybod ar unwaith i'r sawl a'i gyrodd, os gwelwch yn dda. Yna dilëwch hi, a pheidiwch â gyrru copi at neb arall.

Bu inni fwrw golwg ar yr e-bost hwn a'i atodiadau, rhag bod feirysau ynddo. Serch hynny, dylech chwilio unrhyw atodiad cyn ei agor.

Efallai bydd rhaid inni ryddhau'r neges hon, ac unrhyw ateb iddi, i sylw'r cyhoedd pe gofynnid inni tan y Ddeddf Rhyddid Gwybodaeth, y Ddeddf Gwarchod Data neu at ddibenion ymgyfreithio. Y mae'n bosib hefyd y darllenir negesau ac atodiadau e-bost a yrrir at unrhyw gyfeiriad Asiantaeth yr Amgylchedd, neu a dderbynnir oddi yno, gan rywun arall na'r gyrrwr a'r derbynnydd. Hynny at ddibenion busnes.

Os ydym wedi gyrru gwybodaeth atoch, a chithau'n dymuno'i defnyddio, yna ddarllenwch ein telerau a'n hamodau, os gwelwch yn dda. Gellir eu cael trwy ein galw ar 08708 506 506. Am ragor o wybodaeth ynghylch Asiantaeth yr Amgylchedd Cymru, ewch at www.asiantaeth-amgylchedd.cymru.gov.uk.

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Response to Welsh Government Consultation

Natural Resources Wales: Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources

SUMMARY

The Environment Agency supports the creation of the Single Body which provides an opportunity to address the complex and challenging environmental issues facing Wales. The Single Body will need to establish itself quickly as a Welsh institution, serving the people of Wales by protecting the environment and natural resources of Wales.

In our response to Natural Resources Wales we make a number of suggestions that we believe will help secure buy-in to the new ways of working required by the Single Body to address the significant environmental challenges facing Wales in the 21st century. These are:

- A comprehensive, practical agenda for the work of the Single Body that sets out how it can deliver real environmental improvements which support economic and social benefits in Wales including:
 - Contributing to sustainable development;
 - Integrated management of the environment and natural resources;
 - Providing strategic environmental leadership and co-ordination;
 - Contributing to sustainable land and marine management;
 - Helping to mitigate and adapt to climate change;
 - Carrying out long term environmental planning;
 - Providing evidence to inform spatial plans;
 - Using evidence to develop advice which will improve implementation of existing regulations and new environmental legislation.
- A clear aim for the Single Body, making it more focused on the environment and the benefits it brings to people and local communities. We propose:
 - “to protect and improve Wales’s environment and provide economic, social and health benefits to people”
- The strategic outcomes should make it clear that the Single Body will be responsible for flood risk management.
- We welcome many of the changes proposed to the functions of the Single Body. For agri-environment schemes, we recommend that Welsh Government ensures a clear role for the Single Body in providing evidence, data and advice to ensure that action is targeted to the most important environmental issues in each catchment.

- The Single Body should be able to commission and direct research and evidence gathering, in order to meet its environmental priorities.
- We welcome the proposed governance arrangements and the proposals for stakeholder engagement. We encourage Welsh Government to draw on the lessons of the community planning process at Local Authority scale and the Local Service Boards. These have been working collaboratively across the public, private and third sectors to secure input from the public to the decision making and service delivery in their area.

We recognise that the Environment Agency will need to establish arrangements for future working with the Single Body after vesting day. We are already in discussion with Welsh Government on how these arrangements will work in practice.

INTRODUCTION

Since its creation in 1996, the Environment Agency has been successful, operating at arms length from Government across England and Wales. Following devolution in 1999, we have been committed to delivering the Welsh Government's environmental priorities. In doing this, we have helped to protect and improve the environment of Wales, safeguard people and communities from flood risk and reduce the environmental risks to peoples health.

The creation of a Single Body for Wales is an opportunity to shape the future protection and improvement of Wales's environment and natural resources. Separation of Environment Agency Wales from its parent body will require careful management so that, after vesting day, the accountabilities of each organisation are clear. During this period of significant change we will be focussed on minimising uncertainty for our staff and providing them with timely information and advice so they understand and support the changes.

In the period leading up to vesting of the Single Body, we are committed to ensuring a smooth transition with no disruption to those services vital to the protection of people, communities and the environment in Wales and England.

In developing our response to this consultation we have consulted with our staff. We have incorporated issues they raised in our response. We have also drawn on our work with the statutory committees and other stakeholders across Wales and where appropriate their views are also included.

1. VISION, AIM AND PURPOSE OF THE SINGLE BODY

1.1 Vision of the Single Body

The environment and natural resources of Wales face unprecedented pressures. Climate change, food security and energy security may drive society to change the way it values and uses the Welsh environment and the resources on which all life depends. We welcome Welsh Government's response to these pressures and support the agenda for reform of environmental regulation and management in Wales.

The ecosystem approach underpins the Living Wales Green Paper. The Single Body will play a major role in its implementation across Wales. Feedback from our statutory committees, stakeholders and some of our own staff suggests that people find it a very difficult concept to understand. The terminology often creates confusion and there is a need to find a simpler way of explaining the approach to show the real, practical benefits of a healthy environment and the services this provides.

Expectations will be high. Stakeholders and staff will want to see early signs of the benefits of integration of the three existing organisations. For these reasons, the vision for the work of the Single Body in Wales needs to be clear to all.

Given the scale of the environmental challenges facing Wales, we believe this vision for the Single Body also needs to be more grounded and start to explain what might need to change in practice, including the following elements:

Sustainable development

The Single Body will champion sustainable development in a way that delivers economic, social as well as environmental benefits. It will be a significant contributor to delivering the Welsh Government's vision of a Sustainable Wales.

Integrated management of the environment

To be successful the Single Body must grasp the opportunity to work in partnership with the public, private and third sectors to deliver integrated solutions with multiple benefits. Integrated solutions need to create benefits for people, the economy and the environment on land and sea.

Sustainable land and marine management

Securing the sustainable management of land is one of the most important environmental challenges for Wales. The use and management of land has a major impact on bio-diversity and flood risk, as well as being a significant contributor to the pollution of Welsh rivers and streams. Its sustainable use also makes considerable economic sense for land managers. Securing action is proving to be very difficult.

The coast and seas are vital to the Welsh economy, and people's health and well-being. We support the introduction of marine spatial planning. We believe it provides the best opportunity for a strategic and joined-up approach to managing the many different uses of the marine environment, as well as managing upstream activities that can have an impact on the marine environment.

Climate change

Adapting to the inevitable consequences of climate change through the next century will require imaginative and innovative ways of planning and management. The recent UK Climate Change Risk Assessment demonstrates the scale of the challenge in Wales, from water resources, urban flooding, carbon storage in upland peat and coastal erosion. Environmental leadership by the Single Body will be critical. It should have a leading role on climate change adaptation, particularly in flood risk management and water resources. Using its data and evidence the Single Body can also advise Welsh Government, public, private and third sectors on appropriate mitigation and adaptation measures.

Strategic leadership and co-ordination

Dealing with complex environmental problems in places such as Neath-Port Talbot and Burry Inlet has shown how difficult and time consuming it can be developing integrated and cost-effective solutions to problems. Current legislation and funding streams sometimes drives organisations to focus on their specific roles and responsibilities. Building on Environment Agency Wales's Strategic Oversight role recently outlined in the National Flood and Coastal Erosion and Risk Management (FCERM) strategy, the Single Body could develop this role more broadly to ensure everyone is working in the most effective and efficient way, minimising duplication, to resolve problems and deliver wider benefits for the economy and local community.

Long term environmental planning

No single organisation currently considers long term environmental planning for all aspects of the environment in Wales. Evidence of the range of pressures acting on the environment across Wales now and in the future is vital to ensure that the solutions proposed are future proofed. Presenting this evidence showing the likely environmental consequences of decisions, as well as analysis of emerging environmental issues will enable Local Authorities and the Welsh Government to make better decisions for the environment.

Spatial planning and an Infrastructure plan for Wales

Economic development and changes in the way people live will put greater pressure on the environment. We welcome the Welsh Government's proposals in the economic renewal programme, A New Direction (2010), for a statutory strategic infrastructure plan for Wales. A much greater emphasis is needed on getting the most appropriate developments in the right place. This will not only benefit the environment but also the economy and people. The new body will have a major role to play in providing environmental and flood risk management information, data and evidence, so that pressures on the environment are understood and inform the development of such a national

strategic infrastructure plan, as well as other national, regional and local tiers of spatial planning.

Sharpening delivery, evidence and value for money

Bringing together the three organisations into one body will require new ways of working to deliver better outcomes for the environment, local community and business. One of the first tasks must be to review the environmental outcomes the three organisations are seeking to deliver in order to identify opportunities for joint outcomes and delivery. Improved customer service and efficiency should also be an explicit goal.

The Welsh Government is committed to improving the delivery of regulation, as demonstrated by the recent report on Smarter Regulation in Agriculture. The Single Body will be able to:

- Streamline the provision of advice;
- Improve existing regulation;
- Improve the implementation of new environmental legislation and regulation;
- Provide better input to the spatial planning process.

The Single Body will have to establish its reputation quickly with the Welsh public as an independent authority on environmental issues in Wales. Being an evidence based organisation, using good practice and best available information and data to inform decision making and advice to Government will be very important.

1.2 Aim

Welsh Government expects the Single Body to contribute to sustainable development. We welcome this commitment and suggest this is translated into the detailed wording of the aim. Feedback from our staff, our statutory committees and other stakeholders suggests that more needs to be done to clarify the role and remit of the Single Body.

The consultation proposes:

“to maintain, improve and develop Wales’s natural resources, to deliver benefit to the people of Wales now and into the future”

We suggest the wording is changed to:

“protect and improve Wales’s environment and provide economic, social and health benefits for people”

1.3 Strategic outcomes

We welcome the proposal to define the strategic outcomes the Single Body will be expected to deliver in Wales. We suggest the outcomes are also reviewed and reworded as outcomes and not activities.

Feedback from staff (annex 1) and our statutory committees on the proposed outcomes raised concerns about the lack of reference to flood risk management. In light of this we would like to suggest some changes:

Revised aim and strategic outcomes:

“Protect and improve Wales’ environment and provide economic, social and health benefits for people”

- Reduced impact of flooding on Welsh communities;
- Bio-diversity conserved and where possible enhanced;
- Risks to public health and the environment are minimised;
- Harmful effects on air, land and water of pollution, alien species and diseases are prevented or mitigated;
- Sustainable use, management and consumption of natural resources;
- A contribution made to mitigation of and adaptation to the effects of climate change;
- The well-being of communities promoted, with emphasis on public education, access and recreation.

These outcomes focus on the key deliverables the Single Body will be responsible for. It would be helpful if these outcomes are supported by guidance from Welsh Government on the ways of working it expects the Single Body to adopt. This guidance could, for example, highlight the importance of evidence based decision making, working in partnership with the public, private and third sectors to maximise opportunities for securing social, economic and environmental benefits, or being part of a wider network contributing to and benefiting from UK, European and global developments.

1.4 Functions of the Single Body

We welcome the proposed approaches to navigation and to internal drainage boards. We believe the proposed changes are sensible and will provide greater clarity for both the Environment Agency and Single Body. We remain concerned about three proposed changes in function related to agri-environment schemes, sea-fisheries management and research and evidence.

1.4.1 Agri-environment schemes

As we note in our vision for the Single Body, we believe that sustainable land management is one of the biggest environmental challenges facing Wales and that the institutional framework governing land management in Wales should be reviewed. The Single Body could play a leading role in this review.

We understand the practical reasons why Welsh Government wants to retain the management of the Glastir agri-environment scheme but we believe the Single Body should have a formal role in future revisions of the scheme, providing environmental evidence and data to inform and shape future revisions of Glastir. This will ensure that action is targeted to the most critical environmental issues both across Wales and within targeted catchments.

1.4.2 Sea Fisheries Management

Welsh Government proposes to retain all aspects of sea fisheries management. This means there will be overlap between the work of Welsh Government on sea fisheries and the work of the Single Body on freshwater and estuarine fisheries. We believe there is an opportunity for the Single Body to deliver fisheries management from source to sea. This would provide greater clarity for customers and deliver efficiency savings by removing duplication of monitoring and enforcement. We also suggest that Welsh Government sets a time line to review and reconsider the case for inclusion of sea fisheries management within the remit of the Single Body.

1.4.3 Research and evidence

Welsh Government's proposals for research and evidence recognise that the Single Body should be able to commission research and develop advice itself but with Welsh Government taking on the central co-ordination of research and evidence, establishing a single framework for external research and commissioning.

If the Single Body is to meet the Welsh Government's aspiration to be an independent, professional and evidence-based organisation then it is critical that it retains responsibility for commissioning all of its own research to meet its own environmental priorities. The Single Body must build on the success of the Forestry Commission Wales model whereby the research priorities inform practical work on the ground. If the Single Body is seen to be subject to undue influence about the evidence it develops, then it may be difficult to establish its reputation with the Welsh public as an independent, evidence-based organisation.

1.5 Governance

Establishing new ways of working with the public, private and third sectors across Wales will be critical to the success of the Single Body in delivering sustainable solutions to complex environmental problems. Local accountability will be important to the success of the proposed Local Resource Management Plans. Our staff and committee members have highlighted the importance of drawing on the experience of Local Authorities and Local Service Boards in securing wider public engagement in decision making about services in local areas.

We welcome the more flexible proposals for replacing the statutory committees. The requirement for the Single Body to consult on proposals for stakeholder engagement is important. Decision making by the Single Body will need to be open and transparent to the communities it serves in specific geographical areas. The Single Body will need to draw on the lessons from different approaches across the world. This will need to be balanced against the need to provide value for money. We consider that it will be important to explore the opportunities for using new technologies to help the Single Body reach out to different demographic groups.

FURTHER INFORMATION

Further information or background to this response can be obtained from Sarah Williams SUW Strategy Manager, Ty Cambria Cardiff, 07786198463, Sarah.Williams@environment-agency.gov.uk

Final Version

From: Howard Davies [howard.davies@naaonb.org.uk]
Sent: 25 April 2012 15:29
To: SEB mailbox
Cc: Jill Smith
Subject: Natural Resources Wales - Consultation response NAAONB

Attachments: Nat_resources_Wales.pdf



Dear Carrie

Re. Natural Resources Wales

Please find attached the National Association for AONBs response to the above consultation. I trust that you will find it helpful and would be grateful if you would confirm receipt.

If you have any questions that relate to its content please don't hesitate to get back in touch.

With thanks
Howard

Howard Davies
CEO

The National Association for Areas of Outstanding Natural Beauty
Fosse Way
Northleach
Gloucestershire GL54 3JH

Reg. No. 4729800

Tel: 01451 862007
Mobile: 07576 321 614
Email: howard.davies@naaonb.org.uk
Website: www.landscapesforlife.org.uk
Twitter: <http://twitter.com/NAAONB>

Everything we do is inspired by our mission to support the AONB Family in the conservation and enhancement of natural beauty.

Description: Description:
Description: Follow us on Twitter

In an effort to reduce the NAAONB's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing. In addition I normally work from home and so my mobile number is the best contact number.

Carrie Moss
Living Wales Programme Team
Department for Environment and
Sustainable Development
Welsh Government
Cathays Park
CF10 3NQ



19th April 2012

Natural Resources Wales – A consultation on the proposed arrangements for establishing and directing a new body for the management of Wales’ natural resources

The National Association for Areas of Outstanding Natural Beauty (NAAONB) is a voluntary body whose membership includes all the AONB Partnerships in England and Wales, as well as many of the local authorities with statutory responsibility for AONBs, the Trust which manage AONBs in Northern Ireland, as well as a number of voluntary bodies and individuals with an interest in the future of these iconic landscapes.

The work programme and governance structure of the NAAONB fully reflects the devolved nature of government in Wales and works closely with the Areas of Outstanding Natural Beauty (AONBs) of Wales to ensure that they remain well placed to deliver their purpose and statutory duties set out under Sections 85 and 89 of the Countryside and Rights of Way Act 2000.

Our response to this consultation comprises three parts, the first setting the context for our interest, the second consisting of general points, the third more specific. Parts two and three reflect the Welsh Government’s legal responsibility to take the interests of AONBs on board when formulating policy as set out in part one. We have chosen not to answer all the questions set out in the document, concentrating on those that we consider are an immediate priority. Consequently parts two and three cover issues of integration, stakeholder concerns, phasing, strategic outcomes, delivery, and organisational functions.

Yours sincerely

A handwritten signature in blue ink that reads 'Howard Davies'.

Howard Davies
CEO

**The National Association for
Areas of Outstanding Natural Beauty**

Fosse Way
Northleach
Gloucestershire GL54 3JH
Tel: 01451 862007
Fax: 01451 862001
Email: jill.smith@naaonb.org.uk

A company limited by guarantee no: 4729800
Registered office as above

1.0 Context

- 1.1 The NAAONB welcomes this opportunity to comment on this forward thinking document and supports the need to move to a decision making framework that is set within a context of sustainable development and delivered through institutional and administrative arrangements that are as simple as possible. Our comments are focused on areas that we feel require further thought rather than on those areas with which we agree.
- 1.2 Areas of Outstanding Natural Beauty (AONBs) are distinctive landscapes of outstanding quality and value. They are designated in Wales by the Countryside Council for Wales under Section 82(2)¹ in recognition of their national importance and to provide a mechanism to ensure their character and qualities are protected. They are living and working environments which have a special relevance for those who use them and the many to whom they mean so much. The compelling sense of identity associated with Areas of Outstanding Natural Beauty make these areas powerful symbols of our national pride; places of motivation, inheritance, excitement, pleasure and profit. The AONB designation provides a nationally recognised model for protecting these landscapes, achieving important outcomes for society, the economy and the wider environment. AONBs are strategic national assets. There are 5 AONBs in Wales one of which, the Wye Valley AONB, also covers an adjacent area of England. As a consequence of this we need to be mindful of issues surrounding cross-border governance and management.
- 1.3 The CRoW Act 2000 provides the statutory basis for the conservation of the natural beauty of AONBs. The most important part of the legislation in relation to this consultation is as follows.
- 1.4 Section 85 (1) of the CRoW Act 2000 requires any Minister of the Crown, any public body, any statutory undertaker, and any person holding public office, in exercising or performing any functions in relation to, or so as to affect, land in an AONB, to *have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*". This clause embraces all government departments and agencies as well as all local authorities and the privatised utility companies.
- 1.5 The NAAONB asserts that having regard comprises two linked elements: proportionality and relevance. In performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority should give due weight to the need to conserve and enhance natural beauty in proportion to its relevance. This requires more than simply giving consideration to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

¹ Where it appears to the Countryside Council for Wales (in this Part referred to as the Council) that an area which is in Wales but not in a National Park is of such outstanding natural beauty that it is desirable that the provisions of this Part relating to areas designated under this section should apply to it, the Council may, for the purpose of conserving and enhancing the natural beauty of the area, by order designate the area for the purposes of this Part as an area of outstanding natural beauty.

1.6 Whilst agreeing that change is required, the exercising of this current duty, and confirmation that this existing protection will be maintained, has been at the forefront of our thinking in constructing this response.

2.0 General issues

2.1 The NAAONB welcomes an approach centred on embedding sustainable development as the central organising principle in all actions across Government and public bodies and supports the move to create a framework designed to deliver an integrated approach to natural resource management.

2.2 However, the NAAONB believes that form should follow function, and finds it hard to understand the logic behind the establishment of a body intended to enact the requirements of a number of bills that have not yet been agreed or subject to full public consultation. We feel that the stated justification for the timetable is weak and appears to be retrofitted to justify decisions already made.

2.3 The NAAONB is deeply concerned that there appears to have been a purging of the document of the term landscape used in any meaningful way, particularly in relation to the conservation and enhancement of natural beauty. The term is actually noticeable by its near absence despite being a function² of the Countryside Council for Wales as set out in the Environmental Protection Act 1990.

2.4 We are also concerned that apart from the sole, but welcome, reference to what is CCW's area of work in relation to improving and increasing access to, and use of, the environment for outdoor recreation on page 40 of Table 1, the promotion of open-air recreation in the countryside gets virtually no mention in the consultation document. Most of our AONB authority members are very much involved in the management of open-air recreation in the countryside of their AONBs and I'm sure will be equally surprised that the second function of CCW, as expressed in Section 130(b) of the Environmental Protection Act 1990, has been neglected in the consultation document.

2.5 The NAAONB is concerned that there appears to be no mention of Heritage Coasts, promoted in Welsh Office Circular 36/72 "The Planning of the Undeveloped Coast". Whilst being a local authority development plan definition they do require the approval of CCW in the first instance. Accepting that Heritage Coasts are not of direct concern to the NAAONB we cannot afford to ignore both the historic relationship between Heritage Coasts and coastal AONBs in Wales and the potential value of the model for the future integrated management of the land and sea, particularly in light of the Ceredigion Heritage Coast being the first to have a defined boundary several miles out to sea.

²The Countryside Council for Wales shall discharge those functions for the conservation and enhancement of natural beauty in Wales and of the natural beauty and amenity of the countryside in Wales, both in the areas designated under the National Parks and Access to the Countryside Act 1949 as National Parks or under the Countryside and Rights of Way Act 2000 as areas of outstanding natural beauty and elsewhere

3.0 Specific issues

- 3.1 The NAAONB welcomes an approach to decision making based on the prudent and sustainable management of natural resources but feels the consultation document contains inadequate information surrounding resource management planning, both local and national.
- 3.2 The NAAONB accepts that the conservation, restoration and enhancement of landscapes and seascapes is listed as an organisational function but cannot see any reference that reflects the differentiation of protection currently afforded to Areas of Outstanding Natural Beauty (and National Parks) on account of their national significance and outstanding natural beauty. We consider this to be a significant omission. Likewise we cannot find any confirmation that the promotion of understanding and enjoyment of the qualities of these landscapes will be an important role of the Single Body. We consider this a significant oversight.
- 3.3 We are concerned that there is no positive reference at all in any of the supporting text to the nationally important landscape assets that cover 24% of Wales surface area or the designations in place to ensure their management. Likewise there is scant reference to seascapes and their value as national assets.
- 3.4 Whilst cross-border resources such as rivers and National Nature Reserves are noted in the document the NAAONB is surprised to see that there is no mention of cross border protected landscapes, specifically the Wye Valley AONB. We assert that this is an extremely positive example of cross-border governance and management and as such deserves acknowledgement, if not specifically, at least in relation to the management mechanism the AONB designation.
- 3.5 Additional to the above point we are surprised that the Offa's Dyke National Trail, which regularly crosses the England/Wales boundary, seems to have been omitted from the text. In view of the Welsh Assembly's promotion of the All Wales Coastal Path, (referred to on page 41 of Table 1 of the consultation document) and the linking function of Offa's Dyke, we view this as extremely unfortunate.
- 3.6 We are concerned that CCW's role in being one of the agencies advising HM Revenue & Customs Revenue (formally) and landowners (informally) on whether land qualifies for Heritage Relief. Land designated as National Parks or AONBs generally qualify as land of outstanding scenic interest for the purposes of conditional exemption. The NAAONB would have expected this to have been reflected in Tables 1 or 2 of the consultation document.
- 3.7 We consider that the document lacks any recognition of the obligations the Single Body must have, as a deliverer of the obligations and responsibilities of the Welsh Government, with regard to their role in the implementation of the European Landscape Convention.

- 3.8 We note that whilst referencing sustainable development and the ecosystem approach there is no mention of the landscape approach as supported by the IUCN (The World Conservation Union), and no mention of the value of aesthetics which has an obvious link to rural economic development through sustainable tourism. This is disappointing.
- 3.9 We are deeply concerned that by making reference to the original purpose of AONB designation as set out in the 1949 National Parks and Access to the Countryside Act without including any reference to subsequent legislative changes that have made a material difference to the way the designation now operates is significantly misleading. In addition, reference to AONBs in this instance is factually incorrect as AONBs designated after 1968 were not designated on the basis of preservation. This is also significantly misleading. AONBs are, and have been for a long time, enabling designations rather than restrictive or regulatory instruments. This is not a reasonable inference from the text in the draft document and could negatively influence uninformed readers.
- 3.10 We feel that the proposed aim set out in 4.4 is laudable, but are concerned that there is no strategic outcome that reflects the natural beauty of Wales, its landscape, or its aesthetic value. This is a significant omission.
- 3.11 Accepting that this proposal represents a welcome and important step change in the way natural resources will be managed in Wales the NAAONB also notes there is also no clearly articulated confirmation that landscape would have the same degree of protection as currently exists, particularly in light of
- The general and specific issues above,
 - the intention to review priorities and change processes as outlined in 3.3,
 - the recognition that there may be a requirement to consequentially amend UK legislation with reference to simplifying and updating legislation in 5.1.
 - there being no direct reference to the single body assuming the existing powers of CCW to designate and undertake actions to protect landscapes deemed to be of national importance

Therefore, the NAAONB draws your attention to Section 16 (2) of the Public Bodies Act 2011 that states that Welsh Ministers may make an order under section 13 or 14 only if the order does not remove any necessary protection.

- 3.12 The NAAONB therefore cannot see how, based on the content of this consultation document,
- a) Welsh Ministers are in a position to make the order suggested
 - b) the Welsh Government has exercised its duty of regard as set out under Section 85 of the Countryside and Rights of Way Act 2000.

3.13 The NAAONB trusts that the above comments are helpful and would welcome discussions at the earliest opportunity in relation to any, or all, of the issues raised.

Howard Davies
19.04.12



Welsh Ornithological Society
Cymdeithas Adaregol Cymru
www.birdsinwales.org.uk

Secretary
Ian M Spence
43 Blackbrook
Sychdyn
Mold
Flintshire
CH7 6LT
26 April 2012
Phone: 01352 750118

Email: ianspence.cr@btinternet.com

Carrie Moss
Living Wales Programme Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Dear Ms Moss

Proposals for a single environment body

A response to consultation from the Welsh Ornithological Society.

The Welsh Ornithological Society is a membership organisation that promotes the conservation of birds and their habitats across Wales. The Society encourages the study of wild birds and a high standard of bird recording in Wales through its publications, annual conference and grants scheme.

The Society is concerned about the declines in the populations of many of Wales' birds and of the failure to meet the 2010 target to halt the decline of biodiversity.

The Society therefore welcomes proposals to develop a single, strong body to manage the Welsh environment. We believe there is merit in the overall proposal and believe that a properly integrated body will be able to help the Welsh Government move toward a sustainable future.

The Society does however have considerable concerns over the detail of the proposals laid out in the consultation. These are reflected in the proposed aim of the new body to "maintain, develop and develop Wales' natural resources, to deliver benefit to the people and economy of Wales now and into the future".

We believe that the new body should have a specific purpose to halt biodiversity losses and enhance Wales' biodiversity into the future. Whilst we acknowledge the economic importance of our natural resources, it must also be recognised that nature has an intrinsic value as well and this must be reflected in the purpose of the body. It must also be remembered that we have international commitments to halt biodiversity losses and the new body must be at the forefront of delivering those commitments. The purpose to "further the conservation, restoration and enhancement of ecosystems" is not sufficiently robust and there must be an explicit commitment to halt and reverse losses contained within the main purpose of the new body. The list of functions in Table 1 with respect to biodiversity does not contain any commitment to nature in the wider countryside.

The Society welcomes the transfer of the functions of CCW, EAW and FCW into the new body. We are concerned that all policy development is to be moved into Welsh Government. The new body should retain some independent policy functions to be able to give independent advice to Welsh Government, and where necessary be critical. There is a large amount of expertise within the existing organisations that should be retained.

President: Bob Williams

We welcome the transfer of marine licensing to the new body as it is important to include robust scientific evidence in licensing decisions. Fisheries are another important natural resource that has been poorly managed in the past. We would see merit in the transfer of fisheries powers to the new body as it is important that any ecosystem based management includes the sustainable management of such an important part of the marine ecosystem. If this is not considered possible immediately then there needs to be much closer liaison over the management of this important resource. It is not just the fish stocks that are important but the fact that fishery methods can be destructive to marine habitats and thereby affect seabird populations.

We also believe that delivery of Agri-environment schemes should sit within the new body. The Green Paper on Sustaining a Living Wales (which the Society will be commenting on separately) uses Glastir as the main delivery mechanism for ecosystem management in the wider countryside. For delivery to be based on a holistic ecosystem management approach the Glastir scheme should be delivered within the context of overall wildlife management including NNRs and SSSIs. Further, if the Scheme was delivered by the new body it would strengthen its environmental credibility, rather than being seen just as an Agri-scheme delivered by the agricultural department. Tir Gofal was successfully delivered by CCW in the past and we do not see that the transfer of Glastir would increase any risks for the new body.

The Society welcomes the commitment to co-ordination of research and that the new body will retain a research function. There is much expertise within the existing bodies that should be retained and used in input to research. There should be sufficient funding available to ensure that robust research can underpin all policy development. This should also include a solid monitoring programme so that we know the state of our environment and to ensure policies are working. There should also be more co-ordination of research with the Universities in Wales.

It must also be recognised that much environmental research and monitoring is undertaken by the voluntary sector. There is a very strong natural history tradition in Wales and it is important this is retained and encouraged. The new body should have a specific purpose to work with the voluntary sector across Wales and this should include the ability to grant aid the sector with a simple and transparent set of grant schemes. It must be recognised that grants can provide very good value for Government bodies and can help access the considerable body of expertise in the voluntary sector.

The Society welcomes the proposed Governance of the new body and believes it is important that it is an independent body. We welcome the proposal to appoint board members on merit and we would highlight the need for the board to be balanced in terms of representation of the different sectors involved in order to maintain the credibility of the new board.

We agree that effective engagement with stakeholders will be essential to the success of the new body. Any new arrangements for stakeholder engagement must be developed with all stakeholders and while we agree that a flexible approach is likely to work best it should be ensured that stakeholder engagement is maintained at all stages of the development of the new body.

Finally, we welcome the commitment to ensure that the new body is properly funded both during the transition period and beyond.

The Society would be happy to expand on any of the points made above and we look forward to working with the shadow body during the development of the new organisation.

Yours sincerely

Ian M. Spence



Pembrokeshire Coastal Forum
Forwm Arfordir Sir Benfro

Yr Hen Lofft Hwyliau / The Old Sail Loft
Dociau Aberdaugleddau / Milford Docks
Aberdaugleddau / Milford Haven
Sir Penfro, SA73 3AF / Pembrokeshire, SA73 3AF

Ffon/Tel : 01646 696171
Ffacs/Fax: 01646 696125
Ebost/E-mail: pcf@mhpa.co.uk
www.pembrokeshirecoastalforum.org.uk

25th April 2012

Carrie Moss
'A Living Wales' Programme Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
CF10 3NQ

Dear Carrie,

Consultation for the Single Environment Body, response from the Pembrokeshire Coastal Forum.

On behalf of Forum Members, PCF are pleased to enclose their response for the Single Environment Body consultation.

1. The PCF welcomes the opportunity the comment on the above consultation. The Forum's interest lies in the integrated planning and management of the sea and the way it is integrated with the land through ICZM.
2. The membership of the Forum is drawn from a wide range of interests – business, fishing, ports and shipping, energy, recreation and tourism, environment and local communities. Members will no doubt be making their own responses covering their particular interests. This response has been prepared following discussion within the Forum and addresses its particular interest identified above.
3. The Forum welcomes the intentions behind the creation of the SEB i.e.
 - to develop a more joined up way of thinking
 - to have a modernised and simplified regulatory and management framework; and
 - to develop a system of national / local resource planning
4. However, it is concerned that the emphasis on simplification understates the complexity of the environment of Wales and the wide range of issues that the body will have to address, begging the question how will it be transparent in its decision-making? The Forum believes that there will be a real danger of decisions being taken behind closed doors.
5. With regard to the overall remit of the SEB the Forum considers that it should embrace both land and sea. It is concerned that this is not immediately obvious in the consultation – for example in the penultimate paragraph on page 17 reference is made in the WG ambition for the SEB ensuring "... the best, most sustainable use of our natural resources, the land, air, water and biodiversity of Wales, for long term public benefit". There is no overt reference to the sea. **To answer Question 4:** the Forum suggests that to make it absolutely clear the aim set out in paragraph 4.4 should include the words "on land and at sea" after Wales' natural resources.
6. With regard to the aim set out in Section 4.4 it is not clear to the members of the Forum whether or not the SEB's primary function is delivering better outcomes for the management of Wales' environment and natural resources. It would be much clearer and more focussed if the second half of the sentence in 4.4 [to deliver benefit to the people and economy of Wales now and into the future] were removed. They are in effect repeated in the first strategic outcome, which seems to be the right place. Thus **in answer to Question 4** the Forum suggests that the aim should read as follows: **"to maintain, improve and develop Wales' environment and natural resources on land and at sea.**

7. The Forum notes that there is reference in the exemplar delivery framework in Annex 5 to objectives relating to securing better management of terrestrial and marine ecosystems through integrated natural resource planning [no 2] and influencing marine fisheries [no 17]. Whilst they are to be welcomed, it seems to the Forum, **in answer to question 5**, that the majority of the objectives are relevant to both the marine and the terrestrial environments and that, therefore, if it were clarified that the high level aim of the SEB included the marine, then it could be taken as read that all outcomes themes and objectives could have a marine dimension.
8. The same issue arises in relation to the main areas of work as shown in Table 1. **In response to Question 6** the Forum is concerned that the functions listed do not adequately reflect the need for the SEB to be involved with the marine environment and its integration with terrestrial environment. If integration between land and sea is to be achieved as per the ICZM strategy for Wales [not mentioned in the consultation] and as per the stated aim behind creating the SEB, The Forum suggests that it should have an explicit function in relation to it. In this context it is important that the SEB's remit for recreation covers the marine environment. The Forum's experience of dealing with issues surrounding water based recreation, through its operation of the voluntary marine code for Pembrokeshire, points to the lack of any one organisation with the remit to deal with these issue, as well as the lack of powers / sanctions to deal with many of them.
9. The Forum notes the distinction made in paragraph 5.3.1 relating to the retention of the strategic policy function within the Welsh Government and the operational delivery function being given to the SEB. It also notes that the SEB would be integral to effective policy development within the Welsh Government. What is not clear to the Forum is what role the SEB would play in the development of the national / local resource plans and, indeed, of the marine plan for Wales. **In answer to question 7** the Forum believes that, if the SEB is to be integral to effective policy development then logically it should have a central role in the preparation of these plans, whilst the Welsh Government should retain the function of confirming them.
10. **Also in answer to question 7** the Forum supports the logic behind the proposal to transfer the marine licensing function to the SEB i.e. that planning and consents should be kept together, assuming that the SEB has the planning function. It would also support the transfer of the sea fisheries function, as the SEB is the focus for natural resource management, assuming that the framework for their management was fully addressed in the National Resource plan and the marine plan for Wales.
11. One final point of concern to the Forum is that of resources for the SEB. The existing organisations are not well resourced and, whilst there may be savings in having a single body, the Forum is concerned that they will be outweighed by the resources needed for the SEB to fulfil its intended role, especially with the new functions that are clearly needed, e.g. resource and marine planning.
12. Finally, the Forum would be happy to discuss any issues relating to the comments made and to provide more information where necessary.

Yours sincerely,



Tonia Forsyth
Network Manager

Mae'r fforwm yn bartneriaeth o unigolion a chyrrff o'r cyhoedd, y sector breifat a'r sector wirfoddol, sy'n gweithio gyda'i gilydd i hyrwyddo agwedd gynaliadwy i gynllunio, rheolaeth, defnydd a datblygiad Ardal Arfordir Sir Benfro.

The Forum is a partnership of individuals and organisations from the public, private and voluntary sector, who are working together to promote a sustainable approach to the planning, management, use and development of the Pembrokeshire Coastal Zone.



From: Richard Curtis [info@arcwoodlands.co.uk]

Sent: 26 April 2012 12:06

To: SEB mailbox

Subject: consultation

The delivery of government forestry policy to the private sector has been changed many times over the past few years with different schemes and different interfaces.

Forestry and woodland management is a long term activity and the sector understands and needs consistency and clarity from Welsh government.

Please take note of the issues raised by CONFOR.

The ecosystems approach at the heart of the new body must be treated with care. It does not, on its own provide activities that will promote further biodiversity in forestry.

The ecosystems approach is a basic guideline which is echoed to a large degree in what forestry has been doing for some considerable time- multifunctional forest use- which gives equal importance to many features of forest management. This takes place in many cases without state intervention.

Currently the money forestry makes is from the sale of wood. If Welsh government wants to buy further conservation/social functions from private woodlands then they should not be bought subject to restrictions on commercial activities as these will traditionally be a more important focus for woodland owners.

Richard Curtis MICFor
ARC Woodlands Limited
Swansea
Mathry
Haverfordwest
Pembrokeshire
SA62 5HA

01348 837723

07796 920757

Description: ICF_colour_rgb

ARC Woodlands Ltd are Woodland Management Consultants and Contractors specialising in advising Clients engaged in Civil Engineering projects, Woodland Management and Afforestation schemes.

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From: Rob MacCurrach [Rob.MacCurrach@fountainsforestry.co.uk]

Sent: 26 April 2012 12:10

To: SEB mailbox

Cc: kath.mcnulty@confor.org.uk

Subject: Natural Resources Wales - a single body

I would like to respond to the consultation on proposals to form a single environmental body in Wales combining Forestry Commission, CCW and EA.

I am a Chartered Forester working in the private commercial sector in Wales for Fountains Forestry Ltd. There is a strong demand for timber, essentially as a building material, and we have a strong client base wishing to invest long term in Welsh forestry.

I am not against in principle the formation of a single environmental body. We already consult closely over stakeholder issues. Most Chartered Foresters like myself are strongly committed to multi-use forestry and the environmental benefits of forestry. However there is a potential contradiction in the proposal that must be recognized and addressed. You will be coalescing regulatory safeguarding with commercial production.

FC Wales has a large and economically important estate requiring sustainable commercial management. It is imperative that properly qualified and experienced managers are employed to manage this estate. The Forestry Commission also carry out important research and information for the industry in a changing environment; it would be very valuable to keep a Welsh research resource. FC Wales provides a regulatory and grant aid service that nudges and enables sustainable forestry.

The market model of debt-fuelled growth and multinational investment has proved to be redundant. Forestry and commercial timber afforestation offer huge opportunities for the "green" sustainable economy. It also offers opportunity for local development and empowerment. This proposed single body must have an economic and development vision. It would be a lost opportunity if it merely became a regulatory body with a large forest park to curate.

Regulators and commercial managers who must solve the technical, ecological and human problems on the ground don't normally come out of the same stable. Please make sure you resource this project with a strong commercial share under a bold vision.

Rob MacCurrach

Rob MacCurrach MICFor

Forest Manager

07876 556111

rob.maccurrach@fountainsforestry.co.uk

Fountains Forestry Ltd

Croalchapel

Thornhill

DG3 5HJ

Consultation: Natural Resources Wales

Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources

UNISON Cymru/Wales Response – May 2012

Named Contact : Dave Bezzina

Address : UNISON House
Custom House Street
Cardiff
CF10 1AP

Email : d.bezzina@unison.co.uk

Telephone : 029 2072 9413

Introduction

UNISON Cymru/Wales [UNISON] has over 100,000 members working throughout Wales in various sectors, including within the environment and countryside.

As the largest public services trade union, UNISON is instrumental at influencing policy at a regional, national and international level. We work with Government and other trade unions on the management of Wales' resources. We work in partnership with professional bodies and collaboratively with other trade unions in Wales on environment and countryside issues of mutual interest. UNISON has a long history of working and campaigning with organisations and individuals in these areas of practice and care.

UNISON has chosen not to respond to every consultation question, but instead will respond to those questions that are relevant to UNISON members.

We hope that the Welsh Government takes into account UNISON's views as a major stakeholder and representative of Welsh environment and countryside staff within Wales.

Question One: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environment body for Wales?

UNISON has no basic principled objections to the proposal outlined in the consultation document. It must be acknowledged, however, that the notion of shared services will not in itself be a solution to all challenges and may actually present its' own set of problems in the short term.

UNISON has concerns that the timetable, as referred to in section 2.5 of the consultation document, is very short and is unrealistic. We believe that it is better to

outline a realistic timeframe from the outset rather than to allow slippage which can cause undue unrest amongst the workforce. Whilst UNISON appreciates that the Welsh Government wants to minimise the period of uncertainty for staff, we believe that it would be counterproductive if the process needs to be revisited due to it being rushed. Furthermore, UNISON believes that setting a realistic timescale will allow for the process to be carried out more efficiently and cost-effectively in the long-term.

UNISON recommends that the shadow organisation will require a full 12 months to make the adequate preparations to establish a fully functional new body. We believe that a realistic timescale should be communicated to staff as soon as possible.

Question Two: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns that you have?

UNISON has no specific concerns relating to section 2.4 of the consultation.

Whilst UNISON supports the principle of ‘doing things better for Wales’ outlined in 2.2.1, we believe that it is important to explore and focus on the actual skills that members of staff possess rather than evaluating job descriptions alone. Members of staff may in fact have skills and capabilities beyond what they are directly employed to do and it is important to recognise those staff. It is also essential that the Welsh Government recognises that it is likely that training will be required in the longer term in order to keep pace with the changing nature of the organisation and culture as outlined in 2.2.1 and any such training needs to be informed by a clear workforce plan developed in consultation with the staff trade unions. Measures to achieve “doing things better in Wales” should include best practice in employee relations.

UNISON welcomes the commitment to providing “Value for Money for the People of Wales” but strongly believes this can best be attained through improving services by retaining public sector work in house – public sector solutions for public sector problems.

Question Four: Do these proposals provide a good basis for the principal aim and strategic outcomes for the body? How could they be improved?

In general, the proposals provide a sound basis for the principal aim and strategic outcomes for the body, although UNISON would like to highlight that, in the main, these strategies already exist within the current structures.

UNISON has some concerns that water does not feature prominently enough under the list of strategies. UNISON believes that water and sanitation are a basic human right and should therefore be recognised within this proposal as such. We believe that such recognition by the Welsh Government would demonstrate that Wales is a forward thinking and responsible country that prioritises community needs. The United Nations are currently considering legislation on this matter and this consultation could provide an opportunity to positively influence European policy.

UNISON recommends that the wording under 4.4, aim number 1, which currently reads:

“Contribute to protecting public health and safety and to promoting economic, social and environmental well-being and outdoor recreation”

is amended to read:

“Contribute to protecting public health and public safety and to promoting economic, social and environmental well-being and outdoor recreation.”

We believe that the reference to ‘health and safety’ could be misinterpreted and could be read within a legal executive context.

UNISON is also calling for clarification from the Welsh Government on the areas of Welsh Government responsibility. Currently the Wye workforce work for the Midlands region of the Environment Agency and it is unclear from the consultation document whether this will continue or whether they will transfer to the new Single Body in Wales. Furthermore, Navigation services work for England and there is no reference in the consultation as to whether an office will be established in Wales.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?

UNISON is clear that, with particular reference to 5.3, any transfers to the new body must have the full involvement of trade unions – this is irrespective of the numbers involved in the transfer or the location of the members of staff affected.

UNISON supports the proposal to move the marine licensing function from the Welsh Government to the new body.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?

The Welsh Government need to encourage more research functions in Wales. UNISON is concerned that there will be a loss of access to the research and development that is currently undertaken in England. We need to ensure that Wales has equal access to research information and outcomes. UNISON believes that the Welsh Government could seek additional resource to undertake research and to ensure that there is a proportional amount of resource for this function in comparison to England. UNISON believes that this will be good for Welsh natural resource functions, but also have a wider benefit in terms of Welsh employment opportunities and expertise.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?

UNISON has additional questions over what the basis of the membership would be.

UNISON believes that a trade union and/or a staff representative should hold a seat on the board and should be fully involved.

UNISON believes that the board should be, as far as possible, representative of Welsh society.

In addition, UNISON believes that the Wales body needs to ensure it has maximum influence within the European Union [EU] and into the EU policy making process alongside other devolved bodies, including the Scottish Environment Protection Agency [SEPA] and the Northern Ireland Environment Agency [NIEA].

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?

UNISON supports full stakeholder engagement and we are keen to ensure that abolishment of the current bodies does not lead to any disenfranchisement of stakeholders.

Question 11: What are your views on these aspects of the regulatory arrangement?

UNISON would like to seek clarification on what ‘co-located professionals’ mean. In particular, does this mean that professionals can stay where they are? This particular issue is likely to have huge consequences for some members of staff so it will be necessary to undertake further discussion and consultation.

Section 7: General Comments

With reference to 7.1, UNISON notes that the timetable for the establishment of the shadow body has already slipped and we are concerned about the consequences of this. UNISON also believes that the Chair should be appointed after the establishment of the shadow body to ensure that the process is transparent and democratic. It is important that the selection process is a fair one and that the board has full confidence in the Chair, UNISON therefore believes that the board need to appoint the Chair.

Section 7.2 is very much public facing, and whilst UNISON agrees that this is an extremely important element of the proposals, we have concerns that there is no mention of the impact upon staff. These proposals are going to have widely felt implications upon staff. Staff are major stakeholders and a valuable resource, UNISON believes that they should be recognised as such.

Professional expertise such as incineration and reservoir safety should be included under section 7.4.

With reference to section 7.6, UNISON is clear that staff are the most valuable asset above material assets and so should be given more emphasis. Whilst the proposals indicate that the principles of TUPE will be deemed to apply to staff transferring to the new Single Body, in line with the provisions of the Cabinet Office Statement on

Public sector transfers, UNISON strongly maintains believes that it is absolutely necessary to establish this should be reinforced through a Staff Transfer Scheme Order in order to safeguard the workforce. UNISON believe that this is the only reasonable and legally sound way to ensure that staff rightfully retain the terms and conditions that they currently experience. UNISON has further concerns that the document is referring, at this very early stage, to the 'harmonisation' of terms, conditions and pay and grading. UNISON believes that this statement in itself at this stage will be particularly concerning for the workforce, and does not fully take account of the TUPE Regulations which would not allow for changes to terms and conditions of service solely / primarily on the grounds of harmonisation.

Additional Comments

UNISON is broadly supportive of the 'case for change'; however, training / reskilling will be essential built around a clearly defined workforce plan which has been the subject of full consultation with the Trade Unions. Just because the people/workforce is there, does not mean that the expertise is automatically available and this will need to be factored in. The new Single Body will need to ensure equality of opportunity for all staff regardless of gender, disability, ethnicity, sexuality, religion, working hours/patterns, job grade or status.

Furthermore, the consolidation of work will need appropriate management to ensure that it is fairly and appropriately redistributed – this will be a continuous process beyond vesting day.

In addition, the new body will need to be mindful that there are health and safety implications of expecting people to carry out work that they are not trained to do or have little experience with and we would therefore like to highlight the importance of health and safety representatives.

It is also essential to recognise that there will be cultural differences as result of the consolidation of the various bodies and this will present its' own set of challenges which will need to be dealt with professionally and sensitively. The organisations involved will each have their own distinct cultures, working practices and terms and conditions and it will take time for the cultural identity of the new body to catch up.

It is UNISON's belief that the internal culture should be the priority under the delivery framework and that this element should be addressed by the Chief Executive before the development of the external strategy. The understanding of the internal dynamic of the new organisation will then determine the external strategy.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 26 April 2012 14:55

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: </consultations/forms/sebresponse/>

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Phil Wilkinson

Organisation (if applicable):

ETC Sawmills Ltd

Email / telephone number:

p.wilkinson@etcsawmills.co.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

The delivery of more integrated management by amalgamating the three bodies to form a single environmental body for Wales has the potential to bring about improvements in value for money and delivery. However, more detail is required to enable us to comment further. The scale and complexity of this task should not be underestimated. The new body brings together three very different organisations, each with their own culture and managing the change will require care to ensure that the initial objectives are achieved and that there is no loss of focus on the needs of the clients that the new body will serve. It should be noted that since devolution, the focus of Forestry Commission Wales has moved away from commercial (productive) forestry and the needs of the domestic wood processing sector in Wales, in favour of greater emphasis on environmental and social aspects of forestry, the result is an unbalanced approach to forestry. Elsewhere in the United Kingdom, sustainably managed forests in the public sector have generally retained a balanced approach to management and delivery of economic, social and environmental benefits from the public forest estate. It is to be hoped that balance can be restored in Wales, thereby allowing the forest products sector to increase its contribution to sustainable development in Wales. The public forest estate has a valuable role to play by ensuring the continued supply of wood. Failure to restore the balance will have very serious impacts for businesses in the forestry and forest products sector in Wales, with business failures and job losses, especially in rural areas, likely to be a consequence.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

As is acknowledged in the consultation document, the forestry and forest products sector in Wales had expressed concerns about the potential impact that the establishment and operation of the new body could have on wood supply. Whilst it is noted that certain assurances have been given in response to these concerns, businesses in the sector remain nervous about the operation of the new body. It is essential that there is effective communication between the new body and the forestry and forest products sector in Wales, to ensure that there is no further loss of confidence amongst businesses. Continuity of wood supply is a key requirement for continued business confidence, which in turn influences investment programmes. Businesses have already seen a significant reduction in wood production from the public forest estate in Wales, which has caused problems in the wood supply chain and business confidence suffered as a consequence. Increased planting of productive conifer crops must be a priority for the new body, so as to increase wood production from the public forest estate in Wales. There is a compelling case for increased tree cover in Wales.

Question 3: What are your views on this phased approach? How could we improve on it?:

An orderly transition is essential. Similarly, the programme of change should be at such a rate so as to ensure the cost effective delivery of objectives. The phased delivery approach requires careful management and scheduling, so as to avoid rushing change, or to prolong the change process unnecessarily, both of which would have negative consequences that could adversely affect the operation of the new body, at least in the short term. It is important that the new body gets off to the best possible start.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

It is very encouraging to see that the new body will have a clear commitment to sustainable development. Trees, woods, forests and forest products play a major role in sustainable development and we hope that every opportunity will be taken to maximise these benefits. More 'joined-up' thinking within the Welsh Government, involving the new body, will be vitally important if the benefits associated with sustainable development and the important contribution that wood and wood products can make, including helping to mitigate the effects of climate change, are to be realised.

Question 5: What are your views on the approach to the delivery framework?:

The delivery framework model described appears to be appropriate. We would expect 'Woodlands for Wales' to be a significant document in terms of informing and directing the new body's focus for the woodlands and forests of Wales. This Welsh Government strategy has an important role to play in enabling the woodlands of Wales to provide maximum benefits for the people of Wales.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

The functions described in tables 1-3 appear to be a reasonable summary of those required, however, we note with concern that there is no stated requirement for expansion of the public forest estate in Wales, or increased emphasis on productive conifer forestry in Wales; both of which would make a significant contribution to sustainable and economic development in Wales. The role of the public forest estate in Wales in supporting the delivery of sustainable development objectives should not be underestimated.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

We have concerns about proposals relating to Tree and Plant Health; it is important that there is no duplication of effort and furthermore, the new body must work closely with the Forestry Commission in Scotland and England and associated Government Departments and Agencies in relation to tree and plant health matters, so as to ensure a cost-effective approach. It must be noted that pests and diseases do not respect political/national boundaries. It must also be noted that threats from pests and diseases to trees and plants are becoming more frequent, more serious and of greater economic significance. It is essential that adequate resources are provided for this very important function.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Co-ordination of Welsh Government investment in environmental research is very important. Forest Research, an arm of the Forestry Commission, makes a vital contribution to the forestry sector and must not be overlooked. It is essential that Forest Research is adequately resourced, so as to address the issues affecting, or likely to affect trees and forestry. We are fearful that a breakaway from Forest Research, which is a UK wide body, will further reduce its operational capacity and effectiveness, this at a time when research, especially in relation to pests and diseases of trees and plants, is vitally important.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

We broadly agree with these proposals. However, given the environmental, social and economic significance of forestry and forest products in Wales, it is essential that this is reflected in the composition of the Board of the new body. It is important to differentiate between forestry and forest products interests, both have a role to play in the governance of the new body. It is essential that the governance arrangements of the new body are balanced, so as to adequately represent the many and varied interests which will be the responsibility of the new body.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Effective engagement with stakeholders is essential for the success of the new body. As a member of the UK Forest Products Association I am aware that, over the years, a very positive working relationship has been developed with Forestry Commission Wales and with the Welsh Government and successive Forestry Ministers. It is important that this dialogue continues via the new body. We are concerned that moving forestry at least one step away from Government and its inclusion in a multi-discipline body, whose emphasis may be biased towards environmental matters, could be a negative development. It is essential that the voice of the forest products sector in Wales is not diluted by other interests within the new body.

Question 11: What are your views on the aspects of the regulatory arrangements?:

Given the current roles and responsibilities of the three bodies that will form the new body, it is important that any potential conflicts are identified and addressed immediately, so as to avoid operational problems. There must be clear focus on sustainable development, which takes into account environmental protection. The needs of businesses and the important role that businesses play in sustainable and economic development must never to be overlooked by the new body

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

**FORMAL RESPONSE TO THE WELSH GOVERNMENT'S PUBLIC CONSULTATION
DOCUMENT**

Natural Resources Wales

**Proposed Arrangements for Establishing & Directing a New Body for the
Management of Wales' Natural Resources.**

This formal response to the proposals for establishing and directing a New Body (NB) for the management of Wales' natural resources is submitted to the Welsh Government by the Fisheries, Ecology & Recreation Committee (FERAC) of the Environment Agency Wales.

1. PRELIMINARIES:

1.1. The Committee.

FERAC Wales is the statutory committee that advises the Environment Agency in Wales on the discharge of its statutory functions and duties in relation to fisheries, ecology, recreation and navigation. In addition to the chair and cross-committee representatives from the statutory Environmental Protection Advisory Committee and the Flood Risk Management Committee, it has 13 other members drawn from the fisheries, recreation and conservation sectors who collectively represent a broad range of stakeholder groups with an interest in the aquatic environment, its associated wildlife and recreational use. These are grouped under 4 categories as:-

1. **Recreational Users:** *Paddle-Sports, Public Access, Angling,*
2. **Ecology & Conservation:** *Wildlife Trusts, River Trusts.*
3. **Riparian & Fishery Owners:** *Angling Associations, Fisheries Federations, Farming.*
4. **Professional & Technical:** *Fisheries Science, Heritage Net Fisheries, National Parks.*

1.2. Our Approach.

The evolution of proposals for the creation of a *Single Environment Body* has been discussed at the last three meetings of FERAC, and was the subject of the Joint Meeting of the three statutory committees of the Environment Agency Wales in November 2011. In view of the importance that FERAC attaches to this consultation on the creation of a New Body, it convened a small working group of members to consider the proposals, identify key issues and then prepare an outline response for consideration by members in advance of its next meeting. Following feedback from members, the draft response was amended and submitted for formal approval to the meeting on 25th April 2012.

FERAC Wales will be submitting a separate response to the parallel consultation document '*Sustaining a Living Wales*' which sets out the wider background and justification for the creation of the New Body. Other than to record that we welcome and broadly support the adoption of the ecosystems concept as a fundamentally important means of integrating our otherwise fragmented approach to environmental protection and management in Wales, our comments and observations here are focussed directly on the proposed arrangements for setting up the New Body.

1.3. Format of Response.

We are asked to answer 11 specific questions interspersed within the text of various sections of the consultation document. We have attempted to answer each question in turn and have also provided comments and observations on other aspects of the document where we feel that this is necessary and helpful.

2. GENERAL COMMENTS.

It is immediately apparent that the success of the New Body will depend very much on establishing a healthy working relationship with its many stakeholders and the general public that is based on trust and confidence. This pivotal point will be raised again under our specific comments.

However, while there is much general support in principle for the proposals set out in the consultation document, *'the devil is always in the detail'* when it comes down to translating those proposals into practice. In this respect, it is unfortunate that the consultation document lacks sufficient detail under several sections to provide the necessary level of comfort that the protection of our natural environment, its associated biodiversity and established recreational uses will not be over-ridden by the political demand for economic growth, business development and employment.

We therefore wish to highlight the following key points: -

1. The New Body must be (and be seen to be) independent of Welsh Government in the way that it discharges its statutory remit: and that remit must be clearly defined and interpreted by Welsh Government before vesting day.
2. The calibre and competence of the senior appointments of Chair, CEO and Board Members will largely determine its performance. The appointments process must be as transparent and open as possible; with the best possible candidates selected on the basis of experience and ability rather than any hint of political expediency. In this respect, it is 'people' and not 'organisations' who should be selected for board membership.
- 3) The name *Single Environment Body (SEB)* was used in earlier documents. This has now been changed to *New Body* in the public consultation document. The absence of any reference to the key word 'environment' has heightened the concern that environmental protection has now been relegated to a secondary role to give centre-stage to economic growth and business development.

Since one of the central roles of the New Body will be a robust defence of the natural environment, we feel strongly that the word '*environment*' should somehow be reinstated when the final name of the New Body is agreed by Welsh Government. It should also be prominently stated in the overall 'Aim' (*see also S.4.4.*). In this respect, we do not feel that the New Body should put economic development and people before the environment. There are various other departments of the Welsh Government and other external organisations that champion economic growth, business development, jobs and employment. Sustainable development is about carefully balancing these interests and this balance must be reflected in the future role and remit of the New Body.

4. Although the New Body will be accountable to Welsh Government – preferably at a cabinet level, the fear that protection of our natural environment will become subservient to economic growth must be addressed. One way of doing this might be to provide for some form of periodic '*Independent Environment Audit*' to monitor the performance of the New Body (and Welsh Government) in terms of environmental outcomes. This would provide greater transparency, credibility and trust.

5. While we welcome the adoption of an ecosystems management approach as a central integrating concept, this is not something that can be picked off the shelf as a ready-made package relevant to the needs of Wales. It appears that the development of a wholly integrated

and workable approach is still in its infancy. We must therefore urge caution in rejecting established systems, such as the precautionary approach, no matter how imperfect for something that has yet to be tried-and-tested in Wales. We view its adoption as a carefully structured, step-wise, evolutionary process over several years.

6. A concerted effort will be required to bring about the major shift in attitudes and culture that will be necessary at all levels to ensure that the New Body gets off to a good start. Each of the three organisations that will be integrated into the New Body has its own very different culture that has evolved in relation to their current role that must be reshaped to achieve a new corporate culture within the New Body based on a unity of common purpose. However, in order to achieve a healthy and productive working relationship between the Welsh Government and the New Body, it will be equally important that this change should be paralleled across the different departments of Welsh Government. It is difficult to see how joining things up within the New Body could work if they were not also joined-up within Welsh Government. The parent and the child must follow the same culture and discipline.

7. The adoption of an integrated ecosystems management approach must apply also to those Government Agencies and Institutions that lie outside the New Body (i.e. Visit Wales, National Parks and Local Authorities). It will be necessary for Welsh Government to ensure that a commonality of purpose and approach extends beyond the New Body.

8. We take the view that the existing and potential future importance and value of the fishery, recreation and conservation sectors has been sidelined in both the *Sustaining a Living Wales* and the *Natural Resources Wales* consultation documents. They are rarely mentioned in any significant context.

9. The New Body must place far greater emphasis on enhancing biodiversity and conservation in Wales and place greater importance on the aesthetic value of our natural environment. This should not be just to protect the ecosystem, but also to enhance the services and intrinsic benefits they provide to the people of Wales. This will require forging strong links with the Third Sector.

3. SPECIFIC COMMENTS.

Our specific comments, observations and answers to the 11 questions are set out below and follow the layout of the numbered sections in the consultation document. Each question is shown at the head of the appropriate section or subsection in which it is posed. Thus: -

Section 2: The Case for Change.

Q1. What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?

We strongly support this proposal in principle. It has become increasingly evident that there is a pressing need to join-up a growing series of independent and potentially conflicting drivers, themes, strategies and policies for the natural environment and for economic development in Wales in order to adopt an effective, efficient and integrated approach for their practical delivery on the ground.

In this respect, we note with some comfort that the separation of the Environment Agency in Wales from its English counterpart as a consequence of the proposal will liberate Wales to set its own agenda and focus on its own special aspirations, needs, priorities and opportunities.

Some doubts have been expressed about the strength of the business case for the creation of the New Body based on the limited information given in Section 2.1. The savings envisaged are highly sensitive to external factors. We understand that this has been the subject of both internal and independent external review and can only accept the findings on trust.

In several places, the consultation document lacks clarity and is open to interpretation about what, precisely, is implied by some of the ancillary proposals. In addition, some of the terminology is confusing and open to interpretation. There is a clear need to define 'sustainability' and other terms, such as 'natural resources', to achieve greater clarity and understanding of what is (and is not) implied.

Section 2.4. Stakeholder Concerns.

Q.2: In developing our proposals for the body, are there any additional measures we could take to address the concerns we have identified in section 2.4., or any other concerns which you have?

We are surprised that the organisational concerns listed here are restricted to the forestry and business sectors only. There is no direct mention of the concerns known to have been expressed by a wide range of other interests across the fishery, conservation and recreation sectors. Indeed it is not clear if any of these three sectors were effectively engaged during the evolution of the proposal and business case.

We are concerned to note that there is little or no reference to the preservation of our natural landscape (and seascape) or to Green Tourism. The former represents one of our most important and valuable natural assets. The latter will become increasingly important in future years.

It is to be noted that, in many different contexts, almost everything that falls within the remit of the New Body has the potential to affect the interests of fisheries (including angling), recreation and the conservation of biodiversity in negative ways. This would be particularly so if proposals for streamlining the regulatory approach and in promoting economic growth and business development weaken the current levels of protection currently afforded to the natural environment and its established user interests. However, we also recognise that the New Body also has the potential to affect these sectors in positive ways. We can only trust that this will be so once it is established.

It is evident that third sector organisations will become even more important in delivering many of the environmental, conservation and 'people' objectives of the New Body (*see also item 6: p.14.*). We would, therefore, wish to have clarification of how the New Body proposes to engage and work with the third sector.

SECTION 3. LEGAL POWERS.

Q. 3: What are your views on this phased approach? How could we improve upon it?

We support the adoption of the phased approach as a matter of both importance and pragmatic commonsense. The risks of undue haste are self evident. We have no reason at this stage to view the

proposed vesting day in April 2013 as unrealistic. However, other than to state that there is clearly a great deal yet to be done, we are unable to comment on how the phased approach might be improved.

We fully recognise and accept that bringing together the existing disparate legislation to transfer the necessary powers to the New Body will continue to be an onerous and time consuming task if it is to be up-and-running from day one. We accept that new powers under the existing legislation may be required in due course to correct gaps, deficiencies and conflicts that become apparent when consolidating the existing legislation. Clearly this must be a first priority.

We also accept that new legislation may be required in due course to give the New Body the additional powers necessary to undertake any new functions as yet to be determined by the Welsh Government: such as in meeting the ambition of 'Sustaining a Living Wales'. We therefore welcome the statement that any proposals to bring forward new legislation that increases the powers of the New Body will be subject to further public consultation.

SECTION 4: THE PURPOSE OF A NEW BODY.

Section 4.4. Aims & strategic outcomes.

Q.4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

This relatively brief sub-section is central in setting the scene that will determine what the New Body will be expected to deliver. It lacks sufficient detail to comment other than in general terms. Nevertheless, subject to the following observations, we accept that the proposals are as reasonably sound as possible at this early stage in their development.

A fuller definition is required for the term '*Natural Resources*'. It has different interpretations by industry (coal, tidal energy and hydro-power) and by conservationists (biodiversity, landscape and seascape). Is it synonymous with the term 'natural environment'?

Likewise, the widely used terms '*sustainability*' and '*sustainable development*' are poorly understood and have very different meanings to different interests. A clearer definition is required. In order to avoid any further confusion, this definition should be taken forward into the proposed Sustainable Development Bill.

The proposed Aim of the New Body (as set out on P.16) is an improvement on earlier versions. We fully appreciate the difficulty in '*finding the right words and then putting them in the right order*', when attempting to define the overall aim of the New Body in a form that is likely to have universal acceptance! Nevertheless, we would wish to see the word '*environment*', along with a reference to our '*cultural heritage*', included in the proposed aim.

The list of strategic outcomes (S.4.4.) should include direct reference to 'abstraction' under item 2. This topic will become a major issue in the coming years in relation to economic growth, housing development, aquatic ecology and the impacts of climate change. This also applies to addressing the negative impact on aquatic and terrestrial ecology from a long history of environmental degradation caused by past land management practices (*see also 5.3.5.*).

It will also be crucial that links to the over-arching Sustainable Development Strategy are clearly identified and translated across to the work of the New Body in clear and unequivocal terms.

We note that Annex 1 ‘Strategic Delivery Needs’ omits reference to the *Wales Fisheries Strategy*. This is relevant to the work of the New Body in respect of inland fisheries management, protection and regulation of the marine environment, stock conservation, aquaculture development and the future designation of Marine Protection Zones.

Section 4.5. Delivery framework.

Q.5: What are your views on the approach to the delivery framework?

This central question requires very careful consideration. Unfortunately, we do not have enough information at this time to comment more helpfully: other than to note that *‘things appear to be moving in the right direction’*.

The ‘success statements’ linked to the objectives and outcomes of the New Body in implementing Welsh Government strategies are given in Appendix 5. This tabulation is not particularly ‘user-friendly’ and is stated to be *‘an illustrative example’*. That apart, they seem to underscore the need to resolve what will be, if they are not already, the potentially conflicting aspirations, aims and objectives of the Welsh Government in several contexts before the New Body can be expected to deliver the required outcomes.

Although Appendix 5 is only a provisional list, we acknowledge that *what is already there should be there’*. However, it is *what is not yet there’* that may be important in defining our answer. In that respect, we would welcome further clarification on the precise environmental outcomes and priorities that the Welsh Government will ultimately expect the New Body to deliver.

At a tactical level, we attach great importance to the New Body operating at a national and area-based level with co-located staff from each of the three constituent bodies. This approach will avoid the otherwise inevitable risks of preserving a residual ‘silo- mentality’ within parts of the New Body and help promote the adoption of a new corporate culture (*see also p3: item 6*).

SECTION 5: FUNCTIONS OF THE NEW BODY.

Q.6: Are the functions described in Tables 1 to 3 a reasonable summary of those required? How could they be improved?

Subject to the following observations and caveats, we accept the information provided in the three tables as reasonable summaries of the Main Areas of Work (Table 1), the General Powers applying across functions (Table 2), and the Factors to be taken into account when exercising its functions (Table 3). However, we wish to draw attention to the following observations: -

In relation to Table 1. Main Areas of Work (pp 38-42).

1. Statutory Designations. (*P.39: Block 4*). The designation (and de-designation) of SSSI and LNR sites is a statutory process currently devolved to the CCW Council. It will be necessary to develop a clear and transparent process for this to be continued within the New Body. It may be that Welsh Government should assume an ‘appellate role’. Another option might be to establish a special ‘Environmental Ombudsman’ for the resolution of conflict.

The illustrative examples shown do not suggest a great deal of enthusiasm under this area of work. For example, there is no mention of delivering landscape scale initiatives, restoring our water bodies to ‘good ecological status’ under the WFD and improving the qualitative and

quantitative distribution of our native species. At the very least, some mention should also be made of adopting Marine Conservation Zones.

2. Grants & Loans. (P.40. Block 3 & P.41. Block 3). We welcome the inclusion of a power for the New Body to provide grants and loans. This will be very important in several contexts and we would wish this facility to be extended to include the provision of basic infrastructure support for third sector delivery at a local & catchment-based level.

We see considerable benefit from a much closer working relationship with third parties, such as Rivers Trusts, Wildlife Trusts and Local Catchment Groups, for the cost-effective delivery and expansion of certain aspects of work now undertaken by the CCW and EAW (e.g. habitat improvements, River Watch Schemes, biological monitoring, recreational access and infrastructure improvement (SPLASH) projects, angling participation, management of local nature reserves).

Much of the current problem in rolling-out and expanding current initiatives is linked to the absence of suitable locally based groups in certain areas and the limited resources and capacity of existing bodies to become more actively involved in the future.

3. Pest & Diseases. (P.41. Block 4). In addition to forestry aspects, we suggest that the entry on the prevention and spread of diseases should be expanded to include the growing problem of preventing and containing the spread of fish diseases and parasites and of non-native plant and animal species likely to affect the general ecology and wellbeing of aquatic and terrestrial environments in Wales (e.g. *Dikerogammarus vilosus*: the 'Killer Shrimp').

4. Fisheries. (P.42. Block 1): The limited examples shown could be usefully expanded to include the following: a) regulating artificial stocking (to maintain fish health and genetic stock integrity), b) monitoring (rod and net) catches of salmon and sea trout and c) combating illegal fishing (in inland and coastal waters).

5. Provision of Advice. (P.42. Block 5). Note that the UK Government also has a commitment to provide information to the International Council for the Exploration of the Sea (ICES) and the North Atlantic Salmon Commission (NASCO).

6. Education and Awareness (P.40. Block 3 & P.42. Blocks 2 & 3). Managing the environment depends very much on managing people also. We therefore attach high priority to changing attitudes and culture by increasing a much wider awareness of environmental issues and support for the work of the New Body by the general public in terms of: a) what it does (and cannot do), b) why it is doing it, c) why it is important to them and, of central importance, d) how they can help.

We accept that the New Body is not an educational training organisation as such: but there is much more that it can do (and help others to do) to improve overall communication, engagement and co-operation at a national, regional and local level by implementing a proactive programme to increase public awareness. This should be given priority in the New Body by the development of a comprehensive programme based on a blend of traditional practices and the innovative use of new technology.

In relation to Table 2: General Powers.

This list appears to cover the general powers: albeit in very general and non-explicit terms. It is assumed that it is somewhere implicit in these general powers that they include such details as in-house fish culture operations (e.g. Maerdy, Celyn and Cynrig) where fish are reared and sold for stocking purposes to other regions of the EA in England, to local angling clubs in Wales and to support statutory Fisheries Damage Mitigation Schemes (e.g. Celyn/Tryweryn, Brianne/Tywi, Llys-y-Fran/E.Cleddau).

In relation to Table 3: Main Factors.

We attach considerable importance to item 5 in this list: relating to potential cross-border impacts. This of course will work two-ways in respect of the cross-border river catchments (Dee, Severn and Wye) that flow through the English regions to be administered separately by the EA. [See also S.7.3.]

Sections 5.2 - 5.4: Other Functions.

Q.7: What are your views on our proposals for changes to the Welsh Government functions, including Marine & Wildlife Licensing and Tree & Plant Health? How could they be improved?

5.2.1 Navigation.

We agree with the arrangements for transferring responsibility for the Dee Navigation from the EA to the New Body. Since almost all of the public right of legal navigation lies in England, we also agree that the Environment Agency should become wholly responsible for the Wye Navigation.

5.3. Changes to Welsh Government Functions.

In the absence of any specific detail, we are unable to comment.

5.3.1. Policy.

As elsewhere, we accept without equivocation, that strategic policy is solely a matter for the Welsh Government and that the role of the New Body is for the operational delivery of that policy. We would, however, be deeply concerned if the New Body were to be unduly constrained in formulating internal policy in relation to the more effective and efficient delivery of its operational functions and duties.

5.3.2. Marine Licensing.

We support the transfer of responsibility for Marine Licensing to the New Body.

5.3.3. Wildlife Licensing.

Although we are ambivalent on the matter of Badger Licensing (*see below*), we otherwise welcome and support the proposals to consolidate those aspect of Wildlife Licensing now undertaken by the Welsh Government within the New Body. We find the reasons stated for this move entirely credible.

We have no strong views on either of the two options proposed for Badger Licensing in that either approach would be preferable to the current dichotomy of involvement between WG and the CCW. This is clearly a very sensitive and emotive subject and it may be preferable to protect the New Body, at least initially, from adverse publicity by consolidating all aspects of badger licensing within the Welsh Government.

As in other contexts here (*see S. 6.6.1.*), we do not see the issue of self-permitting as a significant obstacle - provided there is a clear and transparent separation of this role from other work within the New Body.

5.3.4. Tree & Plant Health.

We support the proposals to rationalise the regulatory arrangements for tree and plant health.

We agree with the statement that disease does not respect borders, and ask that current arrangements for preventing the spread of fish diseases and parasites are not overlooked when transferring powers to the New Body. The current arrangement with the EA laboratory in Brampton in this respect will need to be maintained in some form in the absence of alternative arrangements.

5.3.5. Agri-environment & Sea Fisheries.

We are concerned about two significant weaknesses in the proposed remit of the New Body that will effectively limit its performance, namely:-

1. Land Management.

Many of the major problems affecting the quality of the aquatic environment and its associated fisheries and wildlife are linked directly or indirectly to past and current land-use practices (e.g. acidification, diffuse pollution, bank erosion, gravel movements, sedimentation and pesticides). These factors are the cause of extensive habitat degradation and loss throughout Wales and as a consequence, are the cause of very significant compliance failures in achieving favourable water quality and good ecological status under the EU Water Framework Directive. If not addressed by the New Body, these failures could result in infraction proceedings against the Welsh Government.

We accept that the all political and strategic policy matters relating to land-use management policy development and UK/EU negotiations on reform of the Common Agriculture Policy must remain with the Welsh Government. We also accept that any transfer of responsibility for the administration of existing and future farm grant schemes from Welsh Government to the New Body might be inappropriate at this formative stage. Nevertheless, we consider it vitally important that the New Body should be in a far stronger position to influence future land use management strategies and practices than hitherto. The means of achieving this should be given priority within a very short time-frame.

2. Sea Fisheries.

Similarly, we consider the reasons given against transferring greater responsibility for the operational management of sea fisheries from Welsh Government to the New Body are unacceptable and require careful reconsideration.

Both the Environment Agency Wales and Welsh Government undertake fisheries enforcement activities in the marine environment, albeit for different purposes, under the present dichotomous legislation. The EAW, which also has sea fisheries powers in several estuaries, is responsible for diadromous fish species and regulates fishing for salmon, sea trout and eels in inland waters, estuaries and in the sea out to the 6 nm limit. Following the abolition of the former Sea Fisheries Committees in England & Wales, the Welsh Government has now assumed responsibility the regulation and enforcement of fisheries legislation in respect of sea fish and shellfish in inshore and offshore waters and in some other estuaries. Both Environment Agency Wales and Welsh Government undertake sea-based and shore-based enforcement and surveillance patrols.

Again, we accept that the Welsh Government must remain responsible for all political and strategic policy matters relating to reform of the Common Fisheries Policy and for cross-border and 'common

sea' negotiations with our neighbouring jurisdictions. However, because of the obvious synergies, we consider that it would be relatively straightforward to combine the routine operational work of these two separate agencies into a single integrated enforcement unit within the New Body.

This integrated approach would: a) avoid duplication of shore and sea based patrols, b) create a larger pool of manpower and equipment with greater flexibility to respond to emergencies and seasonal peaks in workload, c) improve training, career prospects, job interest and job satisfaction, d) provide the current sea fisheries service with improved access to a more extensive and powerful infrastructure (e.g. procurement, legal services, information technology, human resources, communications, e) facilitate the development of an expanded database for intelligence-led and risk-assessed enforcement operations and f) develop better links in support of the growing need for wider research, monitoring and surveillance within the marine environment.

In view of these apparent synergies and benefits (including cost-benefits) in terms of improved overall performance in efficiency and effectiveness, we ask that this matter should be fully reviewed over the next two years. Any change in the current arrangements should not be too difficult to implement by the New Body.

5.4. Research & Evidence.

Q.8: Do you agree with the proposal for co-ordination of Government Investment in Environment Research? How could we improve them?

We recognise the need for Welsh Government to take a more active part in co-ordinating research and other investigations into ecosystems management at all levels: including the management of 'people'. This new central role will be particularly important in relation to cross-border investigations and in the development of collaborative partnerships in the marine environment.

There are obvious resource gaps in the co-ordination and management of research into environmental sciences in Wales. In order to assist the Welsh Government discharge its central role in this respect, we feel that it should be supported by a suitable 'Panel of Science Experts' drawn from the relevant range of special disciplines.

The adoption of an ecosystems management approach as the central tenet for future development and the protection of the natural environment will identify many significant gaps in our knowledge about the highly complex and little understood inter-relationships in environmental variables. Filling these gaps will demand a carefully structured, multi-functional and multi-disciplinary approach to future studies if we are to adopt a robust evidence-led approach. This will inevitably occasion a move away from isolated, single-discipline investigations towards fully integrated, large-scale and big budget projects involving a range of partners from governments, their agencies, academia and the third sector.

However, we would not wish to see the New Body precluded from directly commissioning its own research and other investigations into tactical and operational matters relating to the effective discharge of its statutory, functions, duties and responsibilities. We think it essential that the New Body should retain a resilient and adequately resourced capability to support in-house and collaborative science-based studies.

We agree with the proposition for establishing a National Framework for investigative research: and accept also that the New Body should work broadly within this framework. However, we would not

wish this to become too onerous, bureaucratic and process-driven so as to stifle local initiative. We would expect the New Body to be actively engaged in developing and reviewing that framework in respect of its own information needs and that the framework provides reasonable flexibility to accommodate non-programmed work of an opportunistic and important nature.

In addition to its agreed co-ordinating role, we make two further suggestions for improving ‘*the appliance of science*’ to environmental management and protection in Wales:-

1. Welsh Government should lead on the production of an ‘Annual Digest of Environmental Research in Wales’. At a basic level it should include: a) the aims and objectives of new projects, b) progress with ongoing projects and c) a summary of the key findings of completed projects relevant to applied management. This should cover all public sector research, academic institutions and NGOs. It could be co-ordinated by the Wales Environment Research Hub.
2. Welsh Government should take the lead in sponsoring an Annual Meeting (in some suitable form) that draws together practitioners in Environmental Science and Management in Wales with the aims of exchanging knowledge, spotlighting significant developments and achievements, identifying key issues/priorities and in promoting a fresh culture of partnership working and collaboration across a range of organisations and disciplines.

We see an opportunity for Wales to become acknowledged as a world leader in environmental protection and integrated, evidence-led ecosystems management. We suggest that this should become an ultimate objective of Welsh Government.

5.5. Internal Drainage Boards.

We support the proposal to incorporate the three remaining IDBs into the New Body.

SECTION 6: GOVERNANCE, ACCOUNTABILITY & TRANSPARENCY.

Q.9: Do you agree with the proposals about the status, governance and accountability of the New Body? Is there any way that we could improve the proposed arrangements?

It is evident that several proposals within this section will be pivotal to the success of the New Body from the outset. They therefore warrant very careful scrutiny and comment.

6.1. Status of the body.

We consider it crucial that the New Body should be (and be seen to be) at arm’s-length and clearly independent of Welsh Government if it is to command trust and respect from stakeholders and the widest possible confidence of the general public.

The arrangements outlined under this heading have precedents elsewhere that appear to have worked well. Therefore, and subject to the caveats entered below (S.6.2), they have our qualified support as the best basis on which to proceed.

6.2: Governance Arrangements for the New Body.

The arrangements adopted for the governance of the New Body will largely determine its success or failure in achieving the essential trust, confidence and support from its stakeholders and the wider general public in delivering its stated aims and the required outcomes. It will be of paramount importance to get this right during the intervening transition period before vesting day.

In this respect we are aware of the concerns variously expressed by some environmental interests that the proposals for senior appointments depend too much on political expediency and favour, with the risk that the governance structure will be unbalanced and dominated by commercial and business interests at the expense of the natural environment. While we understand these fears, we do not accept that this is in any way inevitable. The Governance arrangements set out under this section are reasonably robust and transparent and we can suggest no practicable or otherwise acceptable alternative. However, it is important that the Welsh Government is aware of these fears and takes steps to allay them.

We wish to make specific comments within this sub-section under the following headings: -

a) Appointments Process.

We accept that the appointments process will be as open and transparent as possible.

b) Board Size.

Although not stated as such, we assume that the board will have a non-executive function.

It is proposed that the Board should consist of 'around 12 members'. We do not disagree. Any less would be too small to provide the essential balance across the range of key stakeholder interests. Any more might be too large to be manageable and effective.

c) Board Structure.

The composition of the board in terms of representation by functional and key stakeholder interests will be critical in that it must achieve the correct balance between the protection and conservation of the natural environment, commercial and business interests and the needs of people and communities. Achieving this balance will remove much of the current concern that the New Body will be dominated by commercial and business interests and, of equal relevance also, it will address the concern that the work of the New Body will little more than a merged continuation of the work of the three parent bodies rather than a fresh approach to environmental management in Wales.

The initial structure suggested for the composition of the board allocates 8 of the 12 positions to identified stakeholder sectors and, with four positions held in reserve, this seems to be reasonably well-balanced proposal at this early juncture.

We welcome and wholly support the inclusion of separate board membership for both the Fisheries and Recreation sectors. Indeed, we would be gravely concerned if this were not the case. However, we are surprised and concerned to note that no position has been allocated to Conservation and Biodiversity interests in their own right. We regard this as a serious omission that should be redressed when finalising the balance of board membership.

It may have been the intention to absorb conservation and biodiversity within the membership place allocated to 'Environmental Protection and Improvement'. This would not be acceptable as this equally important remit covers a very broad range of activities (including waste disposal, environmental impact assessment and water, air and noise pollution) and would require someone with particular capabilities that fall well outside the specialist fields of biodiversity, species conservation and statutory site designation.

d) Selection of Board Members.

It is stated that board members will be appointed on the basis of ‘ability’. This broad attribute is open to different interpretations. We would expect it to cover their personal knowledge of their topic area, their negotiating and communication skills and, equally important, a proven record of background experience and achievement of multi-functional team-working within the general field of environmental, protection, regulation and management - preferably in Wales. Appointments should be based on what each board member can ‘bring-to-the-table’; rather than as an automatic representative of any particular organisation.

e) Board Champions.

Where practicable, we strongly recommend that individual board members should assume the corporate role of ‘champion’ for a discrete topic area or functional activity. They would liaise with a selected range of stakeholder groups and provide an important central point-of-contact to represent their interests at Board level. This approach has been adopted by the EA Board and seems to have worked well in providing a direct means of two-way feedback and top-to-bottom engagement.

The proposed abolition of FERAC Wales as a statutory advisory committee makes this approach especially attractive for the fisheries, recreation and conservation functions. It might also include a board member with responsibility for engaging with the increasingly important Third Sector.

6.3. International & Cross-Border Governance.

These arrangements are clearly important at a strategic and policy level. We think it necessary that Wales maintains a strong voice at both a UK and European level.

6.4. Accountability to the Welsh Government.

We note and accept the arrangements defining the relationship of the New Body with the Welsh Government without further comment.

The proposed new Framework Document and Scheme of Delegation will be central to achieving a good working relationship between both parties, with outcome-based delivery being the key to success. It will be important to avoid any form of subsequent ‘micro-management’ by Welsh Government.

6.5. Stakeholder Engagement Proposals.

Q.10. Have you any views on the approach we propose for the New Body in relation to its stakeholder arrangements? How might we improve that approach?

It should come as no particular surprise to Welsh Government that members are deeply disturbed by the decision to abolish FERAC as a statutory committee. This is not because there is any great wish to perpetuate the life of the FERAC into the New Body, but because there are as yet no alternative arrangements in place to maintain any form of effective dialogue with stakeholder interests across the fishery, recreation and conservation sectors. In the absence of any alternative and acceptable arrangements, the natural fear is that these sectors may be far less well served in the future than they are now.

In this respect, we draw attention to the parlous situation in England where the premature dissolution of the 7 Regional FERACs without any pre-positioning of alternative arrangements has created a hiatus at a regional and local level and alienated many stakeholders.

Nevertheless, we accept that the present FERAC structure is probably no longer fit-for-future-purpose. Therefore, we see the creation of the New Body as an opportunity to move on and to develop an alternative approach in promoting more efficient and effective two-way consultation, liaison and communication between stakeholders and the New Body that is free from the legislative and other constraints currently imposed on the present statutory committee structure. However, we would add that FERAC Wales has performed remarkably well, despite those constraints, when compared with the English regions.

We agree with the general proposition that any future non-statutory arrangements need to be flexible to future change and modification. However, in order to provide certain safeguards, we propose that it should be a statutory requirement for the New Body to prepare a framework for future consultation with stakeholder interest in the Fisheries, Recreation and Conservation sectors for approval, and periodic review, by the relevant Welsh Government Ministers. FERAC Wales would welcome the opportunity to help progress the development of this framework.

In developing future consultative arrangements, we draw attention to the following key points:-

1. 'One size will not fit all'. Each of the three constituent sectors of FERAC Wales is very different in terms of its organisation, composition and support infra-structure at a national, regional and local catchment based level. Different approaches will be necessary within each sector.
2. Combining the different recreational responsibilities of the EAW, CCW and FCW within the New Body will raise the profile of land-based recreation (as opposed to water-based pursuits) by including a wide range of other sporting and leisure activities. Developing effective consultative arrangements to embrace these many and varied interests will present a significant challenge.
3. The fishery sector has an extensive infra-structure. This extends from locally based angling clubs in almost every community, through regional Federations and Associations, to Government sponsored Angling Governing Bodies for coarse angling, sea angling and game angling at a national level. The Federation of Welsh Anglers is their umbrella organisation.

The EAW has supported and maintained 7 Local Fisheries Advisory Groups covering each region for almost 40 years: albeit in different forms. These local stakeholder consultative groups, if suitably restructured and refreshed, could continue to provide the New Body with an exemplary framework for local stakeholder engagement at a grass-roots level. They should be retained.

4. It is to be noted that detailed proposals have been in position for some time to restructure and realign fishery consultative arrangements in Wales so that they are more closely linked to the recommendations of the Welsh Government's over-arching 'Welsh Fishery Strategy' and to the evolving requirements of the Environment Agency Wales. They represent a robust basis for future engagement with inland fisheries interests that could be readily adapted to meet the requirements of the New Body and Welsh Government. We strongly recommend that they are the subject of further detailed consideration by the Welsh Government Fisheries Division and the proposed 'Shadow Body' during the course of the transition period.

5. It is very important to recognise the distinction between 'fisheries' and 'angling'. They are not, as frequently used, synonymous. 'Fisheries' are the resource that supports the recreational opportunity, whilst 'angling' is the activity that utilises that resource. All inland fisheries are private property and it

is the individual owner of a fishery who controls access to that resource by anglers. This distinction must be taken into account when developing future stakeholder engagement structures.

6. Although technically not part of the consultation process, we attach significant importance to Third Party working and delivery as an effective means of stakeholder engagement. This approach has much to offer the New Body in getting certain things done ‘faster, simpler and cheaper’ on the ground by local people in local communities. Environment Agency Wales and the Countryside Council for Wales have begun to move in this direction for certain tasks that can be fulfilled by unpaid volunteers working together under the umbrella of such organisations as Afonydd Cymru/Welsh Rivers Trust and the Wildlife Trusts. There are certain risks, but these are not insurmountable. We strongly recommend that the New Body should actively pursue an extension of this ‘partnership approach’ into other fields of activity. [See also comment on P.6. Table 1: Grants and Loans: item 2.]

7. Both the Environment Agency Wales and the Countryside Council now operate on similar (but not identical) area-based structures for the operational delivery of their functions. We anticipate that the New Body will also choose to adopt some form of area-based structure: with operational delivery more directly devolved to these areas. Therefore, in addition to the arrangements proposed above for consultation with the fisheries, conservation and recreation sectors, we see practical advantage in the creation of ‘Local Environment Groups’. These would serve to integrate closer engagement across a wider range of environmental interest groups, provide advice and guidance to area managers on local environmental issues and facilitate the delivery of local initiatives: including those linked to the Water Framework Directive. Such arrangement will need to be flexible to accommodate the differences within and between different areas.

6.6. Regulatory Arrangements.

Q.11: What are your views on these aspects of the regulatory arrangements?

6.6.1. Self-permitting.

As stated elsewhere (5.3.3.), we do not consider the matter of self-permitting to be a particular problem provided there is transparency and a clear separation between the teams making the permitting decisions and other operational departments within the New Body.

6.6.2. Strategic Environmental Assessment & Habitats Directives.

We accept the proposed arrangements as pragmatic and workable. No further comment.

6.6.2. Conservation Advice where the body regulates others.

We accept the proposed arrangements as pragmatic and workable. No further comment.

7. MANAGING THE CHANGE.

7.1. Shadow Body.

Our main concern here is to stress the importance of maintaining consistent performance in the routine delivery of operational functions and services to the public during the transition period. There is a risk that the transfer of key staff into the Shadow Body and Welsh Government to progress matters may create gaps that detract from ongoing delivery and performance that then impact badly on public trust and confidence in the New Body.

7.2. Managing the Legacy.

The above comment (S.7.1.) about maintaining operational performance and delivery during the transition period is equally relevant here.

7.3. Cross Border Management.

There are clearly many problems affecting the management of the cross-border rivers (the Dee, Severn and Wye). These are large catchments with important fisheries, recreation and conservation values to Wales. We are not sure that the present arrangements put into place following the recent change in the Environment Agency's administrative boundaries to align with the political boundaries between England and Wales has operated effectively in terms of the concept of integrated single catchment management (e.g. fisheries management and enforcement, WFD delivery and abstraction) and we would urge that any future arrangements should address these concerns.

Separate legislation exists for the management of cross-border rivers in Scotland and England (i.e. Tweed and Border Esk) which, while not perfect, might form the basis of a catchment-specific model that warrants future consideration in this context.

7.4. Services for Wales provided by the Environment Agency or Forestry Commission GB.

We agree that it would be sensible and probably more cost-effective to make suitable arrangements with the Environment Agency in England and the Forestry Commission GB for the continued provision of certain services. This may include some front-line services: such as those now provided by the EA's Fisheries Laboratory at Brampton and the coarse fish culture unit at Calverton.

7.5. Funding Arrangements.

It will be essential to ensure that the New Body is properly funded and resourced from the outset if it is to get off to a good start. The reputational problems caused by underfunding for the National Rivers Authority when it was established in 1989 must not be repeated here. This caused a significant loss of stakeholder trust and confidence that was then inherited by the Environment Agency following its creation in 1996.

We note that the business case for establishing the New Body estimates nett saving on operating costs in creating the New Body of £68 million over 10 years (*Section 2.2.3.*). The stated intention to reinvest this saving in the New Body is encouraging in this context. We sincerely hope that this will be so; with future funding focussed on front-line services and local delivery and with back-office and other organisational on-costs kept to the minimum essential to support delivery on-the-ground. Nevertheless, we are very concerned by the apparent absence of adequate sensitivity analysis of the business case and the subsequent risk that a savings of this order will not materialise. We therefore urge that the highest priority be given to realising the projected saving and its reinvestment in front-line delivery.

7.6. Staff and asset transfers.

We can only assume that this is comprehensive. We have no specific comment.

00000000000000000000000000000000

From: Communications [communications@wales.gsi.gov.uk]

Sent: 26 April 2012 15:30

To: SEB mailbox

Subject: SEB Consultation online form

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Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

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Your name:

Tim Peppin

Organisation (if applicable):

Welsh Local Government Association

Email / telephone number:

tim.peppin@wlga.gov.uk 029 20468669

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

WLGA is supportive of the proposal to bring the three bodies together into a single body subject to a number of caveats, as follows: • most importantly there must be clear democratic accountability for decisions made by the body • linked to this, and in addition to Ministerial accountability, there should be elected member(s) from local government at Board level, ongoing liaison with Council executives and the ability of local authority scrutiny committees to review performance at a local level • there must be ongoing and effective joint work with local government to ensure that services delivered by the new body integrate successfully with those of local authorities. This will require clarity of roles and responsibilities - both at the local level and at a regional level where groups of local authorities are developing new, collaborative service arrangements. This applies in particular to local authority land use planning, emergency planning, community engagement and to services dealing with issues such as fly tipping, air quality, permits and contaminated land. The potential for an integrated public sector approach, for example through the sharing of expertise and capacity between local authorities and the Single Body, should also be explored as part of this ongoing dialogue • the form of the new body should be informed by its functions. It will therefore have to evolve in light of, for example, the consultation on Sustaining a Living Wales and the impending

legislation on Planning, the Environment and Sustainable Development. This will require a flexible approach to the way the body is established, with the ability to respond to changing circumstances and opportunities

In respect of the second concern in paragraph 2.4, the interaction of the Single Body with the planning system needs to be clarified. It is essential that the Single Body has efficient, timely and effective ways of responding to development proposals, either through pre-application enquiries or via the formal decision making process. It is important that the process for 'joining up' and conflict resolution in-house is well understood by all parties to avoid any possibility of different parts of the body giving conflicting advice. Access to specialist services needs to be preserved to avoid a situation where the inability to call readily on specialist advice causes delay in dealing with development opportunities or emergency situations where speed is invariably of the essence. Choices over the location of the offices of the new body could have a significant impact on local economies and relevant local authorities will need to be kept fully involved in any such decisions.

As stated above, ideally the phasing would see consultations on Sustaining a Living Wales, the SD, Environment and Planning Bills take place first, before starting to plan in detail the shape and operation of the new body. However, WLGA recognises that a pragmatic approach is needed and accepts that it is possible to run these processes concurrently and iteratively. The full involvement of local government (and other key partners) is vital if such an approach is going to work though. Otherwise the ability to respond swiftly to a moving situation and get it right first time will be seriously weakened. WLGA has offered to identify a local authority Environment director to be involved in policy work with the Welsh Government to this end.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Question 3: What are your views on this phased approach? How could we improve on it?:

The wording of the principal aim is an improvement on earlier drafts and reflects more accurately the body's primary purpose. The wording could be amended slightly to state 'to deliver benefit and resilience to the people and economy', to make explicit this important dimension of being able to deal with anticipated trends in the economy, society and environment.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

It would also be useful if it could be made explicit that the aim refers to natural resources of the land and sea. The range of functions listed to be covered by the Single Body should put it in a strong position to deliver the strategic outcomes that have been identified. However, there must be a close relationship with the planning system as, in many cases, this will be a critical mechanism for delivering these outcomes. Similarly, there must be a 'joined up' and consistent approach to territorial and marine environment.

The Delivery Framework is useful in distinguishing between how we look after natural resources and how we use them. However, use of natural resources can be considered in terms of production or consumption. A reduction in emissions that results from reduced production inside Wales should not be viewed as a 'good outcome' in sustainable development terms if the emissions have effectively been 'exported' due to production moving outside of Wales (with consumption actually remaining the same).

Question 5: What are your views on the approach to the delivery framework?:

Similarly, reductions in municipal waste tonnages will have implications for resource use (production) outside of Wales as much as they do inside, given that many of the materials entering the waste stream will have been imported.

Finally, given the statement that the service is to be 'customer focused', there will need to be scope for consultation with service users at some stage in the process so that their views can be taken into account (e.g. to inform the Welsh Government Annual Remit letter).

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

The tables setting out the range of functions are helpful. It would be useful to present this information in a matrix format, identifying for each function where it is expected to contribute to one or more of the strategic outcomes. Table 3 refers to 'likely costs and benefits' as a 'factor to have regard to'. It would be helpful if it could be made explicit that these will be taken into consideration on a 'whole life' basis. Whilst the examples in Table 1 are illustrative, the planning and managing of water resources function could have included promotion of Sustainable Urban Drainage Systems. Similarly, flood and coastal erosion function could have included advice on preparation of development plans.

WLGA agrees with the proposal to transfer the marine licensing function from WG to the new body, provided there are assurances that it will have the right skills base to undertake the function to the satisfaction of key stakeholders. Option (i) in relation to wildlife licensing would realise similar benefits in terms of consolidation. Improvements are needed, though, in respect of the crossover between planning and licensing for European Protected Species. The work involved in each is often duplicated and a simpler approach is required. The Single Body provides an important opportunity to address this issue which is widely felt to delay processes and decision making. On tree and plant health, WLGA agrees with the proposal that the new body should deliver all statutory and operational tree health functions, with the policy, legislative and compliance monitoring functions consolidated within WG. For the reasons set out in the consultation document WLGA agreed that the agri-environment function should not be moved. However, there is a clear need for close co-operation

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Yes, agree.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

The need for local government involvement in the process of establishing the new body and representation on the Board of the SB has already been explained in the answer to Q1 above. When the Single Body was discussed at the WLGA Council these were the prime areas of concern for elected members. Furthermore, it is essential that the SB is sensitive to local issues and concerns and that the governance arrangements that are put in place reflect this and are not too centralised. The organisation must be able to operate responsively at the regional and local levels.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

WLGA is pleased to see the plan to retain the Flood Risk Management Wales committee. Local authority members on FRMW are supported by WLGA and they each represent a group of local authorities. It is a good way of keeping elected members involved in flood and water issues. It would be useful to have more information on the proposal for 'local committees' – for example, are these intended to be standing committees with coverage across the whole of Wales or would they be established as and where a need/issue arises?

Question 11: What are your views on the aspects of the regulatory arrangements?:

As noted in the response to Q2 above, consultation arrangements with local planning authorities on development proposals and pre-application enquiries need early resolution. Otherwise, WLGA is broadly supportive of the proposals regarding conservation advice. The proposal for co-located professionals makes sense and it will be important for these groups to develop close links with relevant colleagues in local government.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Communications [communications@wales.gsi.gov.uk]

Sent: 26 April 2012 16:30

To: SEB mailbox

Subject: SEB Consultation online form

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Your name:

Mel Chandler

Organisation (if applicable):

Montgomeryshire Forest School , Montgomeryshire
Wildlife Trust , Forest School Wales

Email / telephone number:

01686 627237

Question 1: What are your views on our
proposal to deliver more integrated
management by bringing the three bodies
together and creating a single environmental
body for Wales?:

Theoretically it makes sense to save resources in this
way However I am concerned that this process is too
quick for in depth consultation to inform sustainable
and appropriate services and opportunities in the
future.

Question 2: In developing our proposals for the
body, are there additional measures we could
take to address the concerns we have identified
in section 2.4 or any other concerns which you
have?:

A single body must have the responsibility of
enabling the use of our natural resources developing
social and educational opportunities for education,
health and well being and economic regeneration.
Distributing funds directly to voluntary organisations
who are best placed to do this locally rather than to
middle management statutory bodies who cream off
financial resources for admin, are ineffectual and
make late payments.

Question 3: What are your views on this phased
approach? How could we improve on it?:

Slow the process a little Ensure wider consultation
Pay for orgs time to feed into consultation process

Question 4: Do these proposals provide a good
basis for the principal aim and strategic
outcomes of the body? How could they be
improved?:

Question 5: What are your views on the
approach to the delivery framework?:

Employ voluntary organisations to oversee the tasks

Question 6: Are the functions described in
tables 1 to 3 a reasonable summary of those
required? How could they be improved?:

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Its very important to listen to the NGO bodies lobbying government policies and working with grass roots organisations most of which are voluntary/charitable and not centrally funded. These bodies work very closely with people and as we know inspiring and educating people about environmental issues and fostering more sustainable lifestyles should be the core work of a single body.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Consultation with NGO's . Very often these organisations have volunteer capacity to do this important local and regional research But pay them to oversee this time and input !

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Representatives from key NGO's should be invited to sit on steering groups and the board to ensure a wide range of socio environmental , educational and economic concerns are heard and needs are met through appropriate distribution of funding to grass roots projects.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

Voluntary organisations tend to work intuitively, meeting demands at local and regional level and are a highly functional resource but incredibly underfinanced. The single body must ensure appropriate funding is passed to these organisations in order for them to deliver high quality collaborative services that can feed into policy development and future organisational sustainability

Question 11: What are your views on the aspects of the regulatory arrangements?:

standardisation of goods and services can only be a good thing but there must be an aspect of flexibility involved Monitoring and evaluation systems for grants should be less complicated and time consuming Payment of agreed grants should arrive on 'target ' and not delayed to earn the distributing bodies more interest - Fines for late payments of grants could be introduced ! This has far reaching and damaging implications for small struggling organisations

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: John Morlais Rowlands [rowlandsjm@yahoo.co.uk]

Sent: 26 April 2012 16:40

To: SEB mailbox

Subject: Ymateb i'r Ymgynghoriad

Diolch i chi am y cyfle i ymateb i'r ymgynghoriad ar "Adnoddau Naturiol Cymru – Trefniadau Arfaethedig ar gyfer Sefydlu a Chyfarwyddo Corff Newydd i Reoli Adnoddau Naturiol Cymru". Dyma fy ymateb:

"Rwyf yn cytuno'n llwyr gyda'r argymhellion i sefydlu corff newydd ac yn gweld bod llawer o waith wedi ei wneud yn barod i gyfiawnhau'r polisi ac i ddangos ei fod er lles yr amgylchedd, pobl Cymru ac yn arbennig economïau lleol a chynaliadwyedd yn gyffredinol. Rwyf yn nodi hefyd fod nifer o weithgorau yn awr yn gweithio'n ddiwyd i roi trefniadau yn eu lle ar gyfer y corff newydd mewn nifer o feysydd penodol. Fel rhan o waith y gweithgorau hyn hoffwn weld:

- pwyslais ar sut mae'r corff yn bwriadu cyfathrebu ac ymgynghori gyda phobl Cymru yn gyffredinol, grwpiau penodol o randdeiliaid, cymunedau lleol, grwpiau llai breintiedig a grwpiau anodd eu cyrraedd
- pwyslais ar sicrhau defnydd cydradd a thrwyadl o'r iaith Gymraeg ym mhob agwedd o gyfathrebu mewnol ac allanol
- pwyslais ar sicrhau hyfforddiant digonol i staff fydd yn delio efo'r cyhoedd mewn unrhyw fodd a thrwy unrhyw ddull
- pwyslais ar ddarparu dogfennau a chanllawiau digonol i staff sy'n delio â'r cyhoedd a hynny yn Gymraeg a Saesneg
- bod sgiliau a chymwysterau "cyfathrebu" yn cael eu cydnabod yn strwythurau rheoli a staffio'r corff newydd ar gyfer yr holl staff yn yr un modd ag arbenigedd gwyddonol, technegol neu'r gallu i reoli - fel sy'n digwydd eisioes rwy'n siwr yn y 3 corff presennol

Hoffwn hefyd weld ystyriaeth yn cael ei roi i egluro pa wahaniaethau a gwelliannau y bydd rhanddeiliaid a'r rhai sy'n cael eu rheoleiddio gan y corff newydd yn ei weld yn y ffordd y bydd yn corff newydd yn delio efo nhw a hynny er lles yr amgylchedd."

Yn ddiffuant

John Rowlands

Thank you for the opportunity to respond to the consultation on “Natural resources Wales - Proposed arrangements for establishing and directing a new body for the management of Wales’ natural resources”. Here is my response:

“I completely agree with the recommendation for establishing a new body. I see much work has already been done to warrant the policy and to show that it is beneficial for the environment, the people of Wales and particularly, local economies and sustainability in general. I also note that there are many working groups diligently working to implement the arrangements for the new body in many particular fields. As part of the working group’s action plan I’d like to see:

- Emphasis put on how the body intends to communicate and consult with the people of Wales in general, particular groups of stakeholders, local communities, less fortunate groups and hard to reach groups
- Emphasis put on ensuring equal and thorough use of Welsh in all aspects of internal and external communication
- Emphasis put on ensuring sufficient training for staff who’ll be dealing with the public in any form and by any means
- Emphasis put on providing sufficient documentation and guidelines for staff who deal with the public in both Welsh and in English
- That the requirement of “communication” skills and qualifications are awarded the same degree of importance as scientific, technical or management expertise in the management and staffing structure of the new body that is applicable to all members of staff, as I’m sure is standard practice in the 3 existing bodies

I would also like to see an explanation of the changes and the improvements that the stakeholders and those governed by the new body will see in the way the new body will be dealing with them, and the benefits to the environment.”

Yours faithfully

John Rowlands

Ms. Carrie Moss,
Living Wales Programme Team,
Department for Environment and Sustainable Development,
Welsh Government,
Cathays Park,
CF10 3NQ,

April 26th 2012

Dear Madam,

**Natural Resources Wales: Single Environment Body.
Response by the Wales Landscape Partnership**

1.1 The Wales Landscape Partnership (WLP) welcomes the opportunity to comment on this important document and the role of the proposed Single Environment Body in delivering the proposed new environmental agenda for Wales. If successful we believe this approach will lead to a more integrated approach to the management of Wales's rich and diverse range of landscapes and seascapes. We trust that the proposed new environmental body will be well positioned to enable this step change in the management of the Welsh environment to happen effectively.

1.2 The Wales Landscape Partnership is a loose Alliance of organisations and individuals with a deep concern for the future well being and sensitive stewardship of Wales's diverse range of landscapes and seascapes. It exists to promote and provide informed advice about the special relevance and benefits that sensibly managed landscapes and seascapes provide and the opportunities they provide to enhance the quality of life of Welsh people and their well being.

1.3 Given our particular interest in the sustainable stewardship of Wales's land and seascapes, we have always believed that the Welsh Government's ratification of the European Landscape Convention and thereby its commitment to implement its principles, should underpin any approach which guides the stewardship of the environment in Wales and therefore any organisation which is charged with undertaking this role.



1.4 We believe therefore that this sentiment should lie right at the heart of the responsibilities of the new Single Environment Body. Regrettably however we are concerned and puzzled by the apparent purging from the document of almost all reference to the term 'landscape', particularly in relation to the conservation and enhancement of the character and natural beauty of many of Wales finest landscapes and seascapes. Despite the clear legal responsibilities which currently exist to do so in the legacy organisations, there appears to be an absence of this function in the role of the new body.

1.5 Given that Wales is exceptionally well blessed with a wide range of landscapes and biodiversity, the quality of which is undeniable high, we are therefore concerned that the protection of these assets does not appear to be cited amongst the primary functions of the new body. The proposals in the consultation document we believe are too closely focused on the body's role associated with the *use* of Wales's natural resources as opposed to their *protection and responsible stewardship*. Without this function being obvious, we are concerned that the primary responsibility of the new body will be skewed towards a market led approach to the provision of services **arising** from the use of landscapes and seascapes, rather than an approach based on sustainable principles

1.6 Given that nearly 25% of the land area and 70% of the coast of Wales are recognised as being internationally important for their quality and character, we believe this alone provides ample justification for the land and seascape role we have suggested, to be a foundation responsibility of the new body. Managing these resources responsibly and reconnecting people with them in ways which promote their responsible stewardship, we believe should be identified as a pivotal function in the work of the new body.

1.7 The assumption therefore that landscape quality and the diversity of services landscape provide is a by-product of healthy ecosystems is not acceptable. Landscapes we contend are resources in their own right and represent a diverse combination of natural features and forms, spaces, habitats and experiences suitably expressed through a unique legacy of inherited human traditions, skills and endeavour. The concept of landscapes being the meeting ground of "People and Places" and the need for the SEB to be the custodians of the Sense of Place they provide, must be adequately reflected in the body's remit and functions

1.8 Likewise given the important contribution that the countryside and rural places make to public well being, we cannot find any recognition of the role of the



SEB in promoting the responsible public enjoyment of these assets. We believe that the functions of the new body should explicitly confirm its role in the promotion of understanding and enjoyment of the qualities of all landscapes, especially those designated now and in the future because of their special qualities.

1.9 Notwithstanding these important reservations, we welcome and support the establishment of a Single Environmental organisation and its proposed role in guiding and overseeing the management of the Welsh environment, so long as it has the opportunity, the resources, and effective means of doing so.

1.10 In particular we welcome the desire for the new body to develop and oversee

- A more joined up way of planning and managing the use of our environment
- Pioneering a modern and simplified environmental regulatory and management framework;
- An integrated system of national and local resource planning with interfaces with the current planning system in a meaningful way

1.11 However we do not believe that any such new body should be expected to undertake the challenges of managing the Welsh environment without the same level of commitment, resources, expertise and ambition that its predecessor organisations had or have shown.

2. The future role and ambition of the new Environment Body

2.1 Given the desire of the Welsh Government to promote the stewardship of Wales' natural and cultural assets for social and economic well being and environmental justice, we trust that the new body will be provided the opportunity to be at the fore front of delivering this ambitious agenda in a comprehensive innovative and integrated manner with the necessary resources to deliver it to the highest possible standards.

2.2 In this context we are concerned that the cultural values of the landscape agenda have also been overlooked in the remit of the body. We consider that the SEB should be mandated to agree a co-ordinated operational approach with CADW to ensure that the heritage and cultural interests of landscapes are fully integrated across both their functions and areas of work.

2.3 We believe this can only be achieved if the full voice and conservation ethic of sound landscape management is not lost in the creation of this major new



body. If it is, the organisation could be easily be dominated by priorities driven by the processes of environmental consenting and regulation.

2.4 For these reasons, WLP believes that 'The Living Wales' agenda must sit at the heart of the philosophy of the new Single Body and within its strategic aims, the promotion and delivery of a "**Landscape approach**" to the stewardship of Wales's natural assets should prevail. Similarly the body's activities should be predicated on a default **Precautionary principle** position so that its remit clearly reflects a desire on its part to be directly responsible for **preventing** landscape degradation

2.5 We also suggest that the legacy of sound and innovative landscape work undertaken by the Countryside Council for Wales and in particular its responsibilities for the designation and management of the portfolio of Protected Landscapes are at worst not fully recognised in the remit of the new body and at best submerged in the presumed scope of other areas of its work. We believe this crucial role should appear clearly and explicitly in the proposed function of the new body. At present it is not.

2.6 To address these shortcomings we suggest that the aim as written in Section 4.4 should be modified to read as follows:- "**to protect, enhance and develop the responsible stewardship of Wales' environment, natural resources and all its landscapes be they either on land and at sea**". This would, in our view, give much great clarity and focus to the remit of the SEB. That part of the aim in the consultation relating to people and economy is covered in the first strategic outcome. If this is not possible then at the very least an additional strategic outcome should be included to cover the conservation, enhancement and enjoyment of landscapes and seascapes, especially those that are protected nationally.

2.7 If this can be achieved we believe that the SEB offers a significant opportunity to change the existing approach to the management of our environment and reduce the apparent complexity and lack of integration in the way it is currently managed. The SEB therefore by definition needs to fully embrace the aspiration of greater connectivity and properly recognise that this in itself has significant economic, social as well as environmental benefits.

2.8 To be able to do this the new body should not only be the custodian of but also responsible for the compilation of the proposed "**National Resource Management Plan**". Likewise it should be charged with delivering the anticipated outcomes of this Plan in a manner which seamlessly links the sustainable management of all our natural resources on both land and sea.



2.9 Contrary to the current position stated in the document, the body should have a clear and specific remit for the management of the marine and inshore and coastal environment of Wales with a undisputable role in ensuring that the delivery of this agenda fully integrates the management of the existing terrestrial and emerging marine environments.

2.10 Likewise it must be empowered to undertake all its functions in a manner which directly informs the Welsh Planning system. It should therefore be charged with providing guidance on how the Planning system should reflect the principles of integrated resource stewardship and how this system should be used as a means of protecting all of Wales's natural assets.

2.11 The SEB must therefore have the capacity to inherit the full range of the existing professional skills of the three legacy bodies. In addition it must have the ability to develop new skills in order to find ways of re-establishing patterns of management of our landscapes/seascapes and biodiversity loss, which help restore their full value and ecosystems integrity.

2.12 The SEB should be tasked with ensuring that sensible land and marine stewardship and the conservation and management of our natural assets never again have to compete with policies that provide incentives which promote their decline or loss.

2.13 The conservation management effort of the SEB should therefore be expressed through its remit including responsibility for the development and implementation of the National Resource Management Plan. Likewise its delivery approaches must reflect “**SMART Conservation**” principles and centred on stewardship principles and complete programmes which enable it maintain and enhance the quality and integrity of all Wales landscapes and seascapes. For this reason we believe the SEB should be responsible for the implementation of the Glastir scheme. The manner in which we read the Living Wales document and the Single Environment consultation suggests that the processes being put in place rather than integrating landscape management approaches and safeguarding existing landscape and protected sites, risk fragmenting and undermining them before robust alternatives has been defined and tested.

3. Governance and delivery arrangements

3.1 Even though we recognise that the Living Wales agenda is still evolving, we are anxious that the existing remit and modus operandii of the SEB appears to be based on a reordering of present circumstances and does not reflect the vision of an ambitious new body welcoming the opportunity to deliver new and better environmental outcomes.



3.2 Therefore to achieve its full potential we consider that the SEB should be a wholly independent and accountable body able to operate at 'arm's length' from Welsh Government and policy makers. It should have the freedom to challenge activities which threaten the integrity of the Welsh environment whilst also being a guardian of it. To enable it to do this, the body must therefore have a direct role in strategic policy development and able to challenge the Welsh Government where it believes its approaches are inappropriate or unjustified.

3.3 Given the fact that the new body will have both an Advisory and Regulatory function, we believe it is imperative that a balanced approach to decision making is visible and obvious in its operations and its decisions are taken in a transparent manner.

3.4 At present there appears to be little reference in the document to demonstrate how self permitting and environmental assessments will be dealt with impartially internally within the body. Without this clarity and transparency the body will be inappropriately equipped to manage potential conflicts, especially those it inherits from its three legacy bodies.

3.5 In so far as the local delivery of its agenda is concerned, we believe that prior to its establishment, the SEB should explain how its responsibility will be decentralised and delivered by appropriate, competent and experienced local bodies.

3.6 We believe that during the process of establishment, the new body should define which "Stewardship Authorities" will undertake this role. We suggest that the skills and experience within National Park Authorities and similar locally based Authorities responsible for the care and management of Wales's key landscape and resource areas, such as AONBs, would make them ideally suited to undertake this important role.

3.7 We also believe that the SEB should be required to formally recognise the role of local people and third sector organisations in the delivery of local programmes of landscape work.

3.8 In suggesting these local delivery arrangements, we are conscious of the wide ranging brief that the Council/ Board of the new body will be expected to oversee. Although we do not specifically comment on its governance structure or constitutional make up, we believe that it will be crucial that the Board establishes very early in its life, a series of formal Advisory Fora to help it direct and guide its activities.

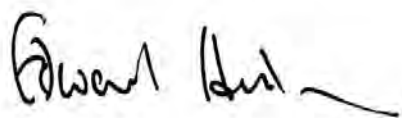


3.9 Given the importance of the SEB's landscape and seascape agenda, we would welcome and suggest that one such Advisory Forum is a **Landscape Advisory Forum**. This Forum would be charged with monitoring the WG's progress in delivering the European Landscape Convention and in particular the custodianship of Wales's existing Protected Landscapes. The Wales Landscape Partnership would welcome the opportunity to participate in the Forum's work.

4. Conclusion

4.1 If the new Single Environment body is empowered to achieve its work in the manner we suggest, it and the Welsh Government will demonstrate its genuine commitment to the implementation of the principles of the European Landscape Convention and to the sustainable management of Wales's diverse range of landscapes and seascapes. More importantly the Welsh environment on both land and at sea will be managed in a more sophisticated, holistic and better way.

The Wales Landscape Partnership would be pleased to continue working with the Welsh Government and its partners to make its ambitions and those of the SEB a reality.



Peter Ogden and Edward Holdaway
On behalf of the Wales Landscape Partnership

April 26th 2012



I refer to the proposed merger of the above organisations into a single environmental body

From: Mark Yorke [markyorkee@tiscali.co.uk]

Sent: 26 April 2012 20:39

To: SEB mailbox

Subject: FW: Proposed merger of EA Wales,CCW and FC Wales Attention of Carrie Moss.

Please forward my comments on the proposed creation of a new body to replace FCW,CCW and EA in Wales. To Carrie Moss, Dept. of Environment and Sustainable Development.

Mark Yorke, Tyddyn Bach, Llanegryn, Tywyn. LL369UF. (markyorkee@tiscali.co.uk)

From : Mark Yorke [mailto:markyorkee@tiscali.co.uk]

Sent: 19 April 2012 21:38

To : 'llyr.gruffydd@wales.gov.uk'; 'antoinette.sandbach@wales.ov.uk'; 'russell.george@wales.gov.uk'

Subject: FW: Proposed merger of EA Wales,CCW and FC Wales

From : Mark Yorke [mailto:markyorkee@tiscali.co.uk]

Sent: 17 April 2012 12:38

To : 'dafydd.Elis-Thomas@Wales.gov.uk'; 'mick.antoniw@wales.gov.uk'; 'rebeca.evans@wales.gov.uk'; 'russell.george@wales.uk'; 'vaughan.gething@wales.gov.uk'; 'llyr.gruffydd@wales.gov.uk'; 'julie.james@wales.gov.uk'; 'william.powell@wales.gov.uk'; 'david.rees@wales.gov.uk'; 'antoinette.sandbach@wales.gov.uk'

Subject: Proposed merger of EA Wales,CCW and FC Wales

I refer to the proposed merger of the above organisations into a single environmental body.

1. One wonders why the agricultural industry is not also included in the proposal, bearing in mind its significant environmental impact.

2. As you are aware (a) FC Wales (part of FC UK) is primarily a commercial "agency" of Government that, together with the private woodland sector, generates millions of pounds from timber sales (and associated added value within the timber industries in Wales).They operate within a UK National and International market place.

(b) Forestry in Wales with its associated industries of timber processing, haulage, contracting, mechanics, road construction etc. is a significant source of rural employment.

(c) FC Wales and private woodlands provide and manage a wide range of recreational facilities (both commercial and non commercial), and safeguard and actively manage a wide range of sites of conservation value and interest.

(d) The forest industry works in close collaboration with a wide range of local and national organisations, including the EA and CCW

(e) FC Wales administers forest regularity measures, and delivers financial incentives for Private owners within the framework of a forestry strategy that includes both commercial, recreational and conservation objectives where appropriate.

3. In my experience the following are my reasons for urging you to reconsider the cost-effectiveness,practicality and future benefits for the rural economy in Wales, of this proposed merger. A merger which I consider to be significantly detrimental:

(1) Forest management is primarily a commercial activity, but which also delivers significant environmental and recreational benefits within Wales. The EA and CCW have no commercial objectives, although they do of course "indirectly" deliver by regularity means, environmental and recreational benefits primarily on land owned by others.

(2) The "multi purpose" benefits delivered by forest management under the " umbrella" of the Forestry Commission, would be significantly "diluted" by this merger, as a result of loss of focus.

I refer to the proposed merger of the above organisations into a single environmental body

- (3) The future of the Forestry Commission as a national UK body and one which operates within a global context, would be significantly compromised and in doubt.
- (4) Future investment in the forest industry in Wales from both within the UK and overseas would be significantly discouraged.
- (5) The business case for the merger appears to be seriously flawed.
- (6) The Forestry Commission is primarily an “enabler” and which delivers outcomes, within both its own and the private ownership context, whereas the EA and CCW have primarily a regulatory function.

4. Please do not hesitate to ask me for any further information or clarification.

Mark Yorke. F.I.C.For.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 26 April 2012 21:40

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: /consultations/forms/sebresponse/

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Ms Maggie Fearn

Organisation (if applicable):

YCSG/Carmarthenshire Forest Schools

Email / telephone number:

forestschooolsirgar@yahoo.co.uk

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

If the single body does indeed simplify and streamline services and iron out anomalies and overlaps in delivery, then this would be good practice and I welcome it. However I am worried because the focus of the consultation paper and the language it uses refers to the management and regulation of the use of resources, and does not acknowledge the current proactive work done within FCW and CCW, and to a lesser extent by the Environment Agency of community engagement, education, training, and recreation focussing on provision, support and maintenance of access. There is no reference to encouraging the health and well being benefits of being in the natural environment, and no measures to encourage and support this access. There is a fine precedent in the Woodlands for People strand of the WAG Wales Woodlands Strategy which must be taken forward into the new bodies aims and strategic objectives.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

The consultation process has ignored significant stakeholders who are currently engaged through the Woodlands for People section of the Wales Woodlands Strategy including forest communities (people who live and /or work in forest areas of all ages and abilities), schools, mountain bikers, riders, walkers, community woodlands, the tourism sector, Forest School Wales, and Llais y Goedwig to name but a few ...

Question 3: What are your views on this phased approach? How could we improve on it?:

The consultation period has overlapped significantly with the implementation period. There is a feeling that the decisions have already been made and that this consultation is too little too late. We have been told that the Single Body comes into being in April 2013 - in less than a year from the consultation deadline!! there is a distinct impression that it is a 'done deal'.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

Endorse and carry forward the Wales Woodlands Strategy, particularly the aims and strategic outcomes of Woodlands for People

Question 5: What are your views on the approach to the delivery framework?:

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

Pay attention to the Wales Woodlands Strategy and in particular Woodlands for People. Incorporate the aims and objectives into a function focussed on community engagement and providing investment and direct delivery of access for communities for education, training and recreation.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Engage communities by devolving power to community level. Have stakeholders represented on regional management and consultation boards

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

The language of the consultation talks of branding Welsh resources, attracting outside investment and being "open for business". This exploitative approach gives the impression that Wales is for sale to the highest bidder and ignores the need to protect, and manage our beautiful natural environment and to encourage people to feel responsible for, and enjoy the health and well being benefits of getting out into woodlands, forests and the wider environment for generations to come.

Question 11: What are your views on the aspects of the regulatory arrangements?:

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

From: Jenny Wong [jenny.wong@wildresources.co.uk]

Sent: 02 May 2012 15:00

To: SEB mailbox

Cc: 'Jo Cooper'; 'Adam Thorogood'; 'David Williams'; 'Fay Sharpley'; Gareth Ellis; 'Jane Gronow'; 'Roger Davies'

Subject: Llais y Goedwig response

Attachments: LLyG SEB consultation response.pdf

Dear Carrie

Please find attached the full response to the NRW consultation from Llais y Goedwig. This is essentially the same as the response submitted online on Thursday 27th April. There are a few differences in wording and a preamble and opening comments have been added. Please take the attached as the final submission by LlyG to the consultation.

Many thanks,

Jenny Wong
Secretary

Description:
LyG_logo_en_Small

www.llaisygoed.org.uk



Unit 6, Dyfi Eco Park
Machynlleth
Powys
SY20 8AX

2 May 2012

Carrie Moss
'A Living Wales' Programme Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Llais y Goedwig response to Welsh Government consultation 'Natural Resources Wales' (NRW) – Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources

Preamble

Llais y Goedwig (LlyG) is a national voluntary association of grassroots community groups with an interest in the management and use of local woodlands. Membership currently stands at 35 full members. These are community-led groups who own, lease or have management agreements on woodlands who have a combined membership of around 1500 people. The groups are located in peri-urban and rural areas across Wales and are engaged in a wide range of woodland-based activities from nature conservation, timber sales, firewood supply to community arts, education and lifelong learning. The association also has 78 associate members who support aims of LlyG but are not groups or not fully community-led. Associates are also groups representing 846 people (not counting the membership of the Woodland Trust and other larger NGO members).

Since the foundation of LlyG in 2008 we have taken a keen interest in the development of woodland policy and have attended stakeholder meetings on NEF, SEB, Glastir and the post 2013 RDP. Much of our perspective on the changes being enacted by the Welsh Government has been presented to Government in responses to earlier consultations. Much work went into these and we hope that the present consultation is not going to build on representation made to previous consultations on the SEB and especially the recommendations made by the Environment and Sustainable Development Committee Enquiry into the Business Case for the SEB.

LlyG members have a very big stake in the future of woodlands and the wider landscapes in which they are embedded. Their experience and work exemplifies what can be achieved by motivated local communities in the delivery of ecosystem services from woodlands. Collectively we will be significant clients and potentially partners of the SEB and our response below is mainly concerned with delivery of services to our members and governance of the new body. Both are critical to achieve the aspirations of NEF, to connect this with the people of Wales and to inspire public confidence in the SEB and the governance of Wales' environment assets.

We have several concerns with the form of the consultation:

- There is insufficient detail or justification for proposals presented in the consultation i.e. there is no outline structure for the new body and it is clear that much of the detail is to be worked out later – this has made it difficult to effectively respond to what at times have the appearance of rhetorical questions.
- The relationship of this consultation to those that have gone before and which are running parallel on the Natural Environment Framework, Sustainable Development and Planning is not at all clear – there is much talk of how these need to work together but there are disparities in the emerging description of their functions and no obvious way for consultees to comment on how integration could be achieved on the ground.
- The language, form of questions and presentation of the consultation are extremely off-putting to the uninformed. This effectively prevents a full public debate on the objectives and form of management for Wales’ natural environment. The environment is cherished by the people of Wales and it does them a disservice not to provide opportunities for a full public debate utilising popular media and accessible language.

Response to specific questions in the consultation

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?

Bringing together the three bodies has the potential to facilitate pro-active environmental management by grass roots community woodland groups. This in turn could be the powerhouse of the integration of woodland management and the use of woodland resources across the landscape i.e. we have examples of successful community woodland initiatives which start with one small wood and grow to include woodlands within the valley. However, careful attention needs to be paid to the structure of the new body if this is to happen. Learning from our cumulative experiences of working with local FCW and CCW officers we suggest that:

- The ideal configuration for the new body would be ‘flat’ with a HQ able to provide high quality technical expertise and required regulatory and administrative functions directly to Area offices which would be the interface with the environment (management and monitoring functions), communities (advice, grant support, access to WG forest land), contractors (local procurement and sales) and public (education, recreation etc). Area offices do not need be identical and some may have more or fewer staff and accommodate specialist teams – the important point would be they all can provide the same public-facing service.
- Areas should not be larger than existing FC Areas and offices should be in both urban and rural locations. Area boundaries should be aligned with topographic features e.g. watersheds to facilitate operationalisation of landscape-scale environmental management.
- Partnerships between land managers within an Area should be encouraged and supported and expressed in the form of Area development plans which should be reviewed against local authority RDP aims and outputs. Plans will need to be funded but this can come from many sources including in kind contributions from the communities but there will need to be seed and match funding from the new body. It is important that the plans include the public forest estate.
- Area officers should be able to provide advice and support for biodiversity conservation, woodland management, access and management of water resources to land managers and

others within their Areas. Officers should ideally live within their areas and have an intimate knowledge of the local environment and accessible so communities can establish a face-to-face relationship with them.

- Area officers should be empowered, with suitable oversight, to make decisions on local matters and have these supported by the body. Examples of such decisions might be an agreement for a community event in a public woodland or arranging small-scale sales of timber to local enterprises and doing away with centralised WHAM systems and bureaucracy.
- Area officers should be supported by a lean and efficient headquarters with good communications between policy, action and evidence. They should have the ability to call in specialist advice from HQ and elsewhere as needed.
- Area officers should have flexibility to make small-scale changes to the FDP to enable greater engagement with communities wishing to manage forestry resources where appropriate woodlands have been identified.
- There should be resources targeted at sustainable communities and well-being and there should be targets for achievements in these areas.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?

We are pleased to hear that the new body will be required to retain the public forest estate and will have a duty to support the role of woodlands in the rural economy. However, the question of the purpose of public forest estate remains unclear. Is it a resource for the people of Wales to use and enjoy with the new body as a custodian or is it an economic resource for the new body or government treasury? LlyG would argue that it should be the former and that the resource should be considered the inalienable property of the people of Wales and not the private estate of government. The destination and use of revenues flowing from the use of this capital (car park fees, franchising, timber, wind, hydro, coal etc) is also of concern – is this to be reinvested in forestry?

We remain concerned about the internalisation of forest policy to Welsh Government – experience with the integration of grant support to forestry with Glastir has not been good. Much that was of value to community woodland groups and supported economic development of woodlands has been lost and there is a feeling that forestry stakeholders are not valued by Glastir administrators. It may be that an internal forestry policy team may be better able to access RDP, other funding opportunities and represent forestry as an important contribution to other departments in the Welsh Government. However, the risk is that a small team isolated in Cardiff may become distant from realities on the ground and have little influence on wider environmental policy. Agriculture is a big player in RDP – we remain sceptical that a small internal, subordinate team on forestry issues will be heard.

Question 3: What are your views on this phased approach? How could we improve on it?

The timetable for establishment of the new body is very tight with little time for reflection and stakeholder discussions. For example, it appears there will only be a few weeks between the close of this consultation and the appointment of the Chairman, Board and Shadow Body. We are concerned this is insufficient time for the plans for the new body to reflect the results of the consultation. We understand that a rapid transition to the new body is required to minimise disruption and uncertainty but this needs to be tempered with reflection and careful consideration of alternatives. Given the importance to the new body of the provision of advice and support to partners in the

delivery of the NEF perhaps there should be more opportunities for in-situ consultation with existing clients to develop the public interface for the new body.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

Despite a few tweaks to the phrasing there is little to object to in the aim and outcomes as presented here. Outcome 1 could perhaps be better phrased: why is public health, safety and outdoor recreation singled out – are they not part of social well-being? In outcome 2 it may be better to say ‘non-native’ than ‘alien’ species. Outcome 3 needs to be reconciled with outcome 5 and ecosystems allowed to change and restoration to be forward as well as backwards looking. In outcome 4 how is consumption different from use? Should there be something about a sustainable flow of materials to meet local needs for provisioning services (e.g. wood) and as a basis for a sustainable rural economy?

Judging whether the proposals for a new body will achieve this aim and outcomes is difficult without further details of the form, powers and *modus operandi* of the new body. This is perhaps something for later consultation when there is more clarity and detail on the new body.

Question 5: What are your views on the approach to the delivery framework?

The tabular approach to outcomes, objectives, targets and indicators is a standard one and is broadly similar to the Woodland for Wales strategy, its associated Action plan and the Corporate Plans for FCW. It is a sensible approach though there is a lot more to do to integrate the elements drawn from FCW, CCW and EA and present them in a coherent manner. What is more of a concern is the lack of any clear links with the Woodland for Wales strategy and its associated Action Plan. Section 4.2 says that the new body should deliver existing Welsh Government environment strategies – if this is the case then there should be explicit cross-referencing to the various strategies to ensure that nothing is missed out and that existing strategies and the partnerships established to deliver them are maintained.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?

LlyG is not able to comment on many of these – we assume that these represent a reasonable summary of existing functions and powers of the three legacy bodies. However, the functions listed in Table 1 still places functions derived from each of the three agencies into separate boxes. Integration of these is required if the aspiration to create synergies and efficiencies in delivery of ecosystem services to be achieved. Further work is required to integrate functions more completely – it maybe that external assistance would help with this as may be difficult for staff seconded to work on this from each legacy body to see beyond their own silos.

The SEB must be joined up to strategies and policies from the NEF and SD Bill.

We are pleased to see ‘Community use and management’ in Table 1 as an example of work towards ‘Sustainable use and management of forests’ we would be willing to work with the Shadow body to flesh out the operationalisation of this function.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?

No comment on marine & Wildlife Licensing and Tree & Plant Health.

In relation to 5.3.5 Agri-environment and Glastir – we can see that transfer to the new body of elements of Glastir from the Welsh Government may be risky until the new body finds its feet and CAP reforms are completed – there are significant problems with the forestry element of Glastir emerging. The new body will need to have direct access and influence with the Welsh Government Glastir development and administration to safeguard delivery of timely and commensurate payments for forestry and biodiversity conservation in a manner which supports existing woodland management plans. It also needs to have a function in the development of other RDP strands to support economic development based on natural resources.

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?

We don't have much to say about central commissioning of research and have worked in the past with Forest Research so are pleased to see they will retain a presence in Wales.

A missing element in this is the role and value of citizen science. Through eNGOs (e.g. RSPB Big Garden Bird Watch), as communities of people caring for local environments (LlyG members) and as amateur experts the people of Wales are very much interested and engaged in environmental monitoring. There is much that could be done using participatory research techniques to develop the contribution of citizen science to research and monitoring not just of the environment but also of the delivery of ecosystem services. We suggest that this should be an additional function of the new body.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?

LlyG is not able to comment on the details of the relationship between the new body and the Ministers – we presume that the Audit Office will ensure that the new body is indeed independent; delivering what is required and acting within its mandate.

What is missing from the proposals is public accountability. There should be strong and transparent oversight of the work of the new body by stakeholders and representatives of civil society. There are many possible structures for such a body – the important point being that representation should be accessible to all and have the power to call the new body to account.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?

We are happy that there will be opportunities for the development of novel and innovative ways for the new body to engage with stakeholders. This should be on an Area as well as subject basis and consultation should be part of the *modus operandi* of the new body.

We are concerned that the statutory role and powers of the National Committee for Wales are to be subsumed into the Board. This together with the lack of a formal oversight body means there is no high level independent scrutiny or powers to call the new body or its relationship to the Welsh Government to account. This maybe a required function especially to adjudicate in disputes as provided for in present statute. Certainly public confidence will be enhanced if the body has to be publically accountable to an independent body.

The new body will need to continue present FCW sponsored stakeholder engagement with Glastir and more generally with the development of future RDP programmes. There should be formal links between the new body and Local Authority Rural Partnerships managing RDP programmes.

Since forest policy development and monitoring is to be taken into Welsh Government and WSAP is apparently to be disbanded we hope there will continue to be a mechanism for stakeholder consultation on policy evolution and monitoring. The proposals say nothing about this – will this be provided by the new Policy team? Or might it be sponsored by the new body? It is important that stakeholder consultation on forestry policy is maintained.

Question 11: What are your views on the aspects of the regulatory arrangements?

LlyG is not in a position to comment on the forms of self-permitting included in the consultation paper. However, we would like to suggest that the self-permitting of felling licenses and re-stock requirements by Forestry Commission for the public forest is an important additional consideration.

At present FCW does not require or issues felling licenses to itself for five year felling periods. The felling and associated re-stock and landscape design plans are bundled together as three maps which are designated the ‘Design plan’ for each forest block. There is a presumption for local consultation on these with statutory bodies (e.g. Community Councils), CCW, CADW and also with interested local stakeholders. We would like to see the Design Plans evolve into true Management plans with greater local consultation and engagement in operations, use of timber and development of social benefits. In addition, we wonder whether there should perhaps be more accountability on the operation of these plans and this could perhaps be achieved through the introduction of a more formal process for regulating felling on the public estate.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them.

We are concerned that the new body may represent a greater move to centralisation of power across the functions of the existing three bodies in Wales. Whilst acknowledging the requirement for some centralisation of functions, which will provided opportunities for economies, we hope that more decision making power on day-to-day operations of the new body are decentralised to local area offices. This will enhance a local public facing role and allow greater local integration and ‘buy-in’ to the operations of the new body.

From: Communications [communications@wales.gsi.gov.uk]

Sent: 27 April 2012 10:40

To: SEB mailbox

Subject: SEB Consultation online form

Page used to send this email: </consultations/forms/sebresponse/>

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

(Unchecked)

Your name:

Ashley Charlwood

Organisation (if applicable):

Canoe Wales

Email / telephone number:

ashley.charlwood@canoewales.com 01678522030

Question 1: What are your views on our proposal to deliver more integrated management by bringing the three bodies together and creating a single environmental body for Wales?:

We are broadly supportive of more integrated management within a single environmental body. We recognise that in some areas there is duplication of expertise and that this can cause difficulties for NGO's in finding answers from EA(W), CCW and FCW. We would note that the agencies have differing opinions, sometimes based on a subjective position gained through experience. This is particularly true of interactions with Outdoor Recreation. We would strongly advocate that the formation of the new body recognises the important part the single environmental body can play in creating opportunity for a healthy active Wales. The outdoor recreation sector within Wales is keen to provide the new Single Body with a great deal of support and access to technical expertise to help facilitate the benefit to Wales on the widest terms.

Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?:

Promotion of outdoor recreation within Wales is currently quite disparate. We would note that the marketing functions of the separate agencies may be better placed within a different department of Welsh Government. This would allow the single body to focus on the environment and contribute to, but not be responsible for the communications of this which may site better in existing functions of the Department of Business, Enterprise, Tourism and Science. We would note that little in the proposals identifies or commits to maintain the National Access Forum which differs to the statutory forums locally. National Access Forum is a valuable resource for the sharing of best practise and as a member we would seek to see this Fora maintained with an explicit commitment early in the formation of a new Body.

Question 3: What are your views on this phased approach? How could we improve on it?:

We believe the phased approach has value. However, we are very aware that this approach can give rise to a cultural position of precaution where evidence is lacking. We believe that it is important that the phased approach should facilitate and prioritise decisions relating to areas where gaps in evidence currently exist. Due to the ease with which this process can potentially be lost, we believe that this should be explicit in the phased approach and work programme for the legacy body.

Question 4: Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?:

It is notable that the strategies contained within item 4.2 are those that sit within the current agencies ownership. We would note that the Natural Resources that Wales have to offer play an essential part in other departments strategies. A prime example of this would be the strategy "Creating an Active Wales" and its aims to create opportunities for Welsh children to be hooked on sport for life. We would note also the B.E.T.S have a vested interest through Coastal and Sustainable tourism strategies. Whilst the consultation document is heavily focussed on regulatory approaches to Natural Resources it must be noted that the Public are "customers" of the natural resources that Wales offers. Whilst regulation can be required, it should also be noted by the legacy body the massive contribution that that this resource plays in peoples everyday lives.

Question 5: What are your views on the approach to the delivery framework?:

Within the detail provided we are supportive. We would note, however, that this delivery framework does not clearly define the requirement to engage with the strategic partners that the current agencies work closely with.

Question 6: Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?:

We would note that table 1 carries out much of the regulatory functions. We are disappointed to see that the only specific area of promotion within the new bodies work relates to the promotion of angling. We would suggest that the promotion of other opportunities for healthy, sustainable recreation be explicit in the table also.

Question 7: What are your views on our proposals for changes to Welsh Government functions, including Marine and Wildlife Licensing and Tree and Plant Health? How could they be improved?:

Question 8: Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?:

We are supportive of the retention of this function of the legacy body. We would advocate that gap analysis in this evidence be considered early in the process for the reasons outlined in Question 3 above.

Question 9: Do you agree with the proposals about the status, governance and accountability of the new body? Is there any way we could improve the proposed arrangements?:

Given the breadth of activity that will be carried out by the new body it could initially be seen that the proposed board of 12 is not able to fully replicate the expertise available through the current agencies. We would note that the recruitment of the new board, and the process that this requires in order to retain the requisite skills will be a critical process.

Question 10: Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? How might we improve the approach?:

We would like to re-iterate that whilst recreation is not usually a "potentially damaging operation", there are a significant number of people (who have representative bodies) within Wales who are recipients of the work undertaken by the current agencies. The ecosystem approach that is being advocated is very valuable and one that Canoe Wales greatly supports. We would note however that for this reason, recreation as a customer of the natural resources within Wales should be explicitly represented in Stakeholder engagement. Whilst this is currently undertaken by the National Access Forum, there is seemingly no commitment to pursue this in the new body.

Question 11: What are your views on the aspects of the regulatory arrangements?:

We are supportive of the regulatory arrangements proposed. We would urge caution that this function is not seen as the prime role within the new body.

Question 12: If you have any related issues which we have not specifically addressed, please use this space to report them:

There is a need to recognise that the Environment Agency in Wales is sometimes constrained by a UK level strategy (e.g. Water Related Recreation Strategy) in some of these strategies, Wales has been more active, and more focussed on the nuances of delivering them on Welsh basis. The formation of a single body gives the opportunity to address any changes to strategy that may be more fitting for Wales.