

Response to Natural Resources Wales consultation by the Brecon Beacons National Park Local Access Forum

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?

No comment

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?

Sport National Governing Bodies have not been fully engaged in this consultation process nor does there appear to be a mechanism that will involve them in future consultations with the Single Body.

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

No comment

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 comment

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?

No comment

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?

No comment

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

No comment

Ms Carrie Moss
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Dear Ms Moss

Environment Protection Advisory Committee's (EPAC's) Response to the Welsh Government's Consultation Document entitled "*Natural Resources Wales, Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources*"

EPAC supports the formation of the new body for the management of Wales' natural resources by combining three existing bodies, namely Environment Agency Wales (EAW), Countryside Council for Wales (CCW) and Forestry Commission Wales (FCW), and is pleased to offer the following responses to the consultation document.

Preamble

1. Wales' environment and natural resources are intrinsically linked to the quality of life of the citizens of Wales. They contribute greatly to the social and economic fabric of our country. However, increasingly complex challenges will need to be overcome if we are to protect and manage both our environment and natural resources effectively in the future to meet the economic and social needs of the people who live in Wales and those who visit the country for tourism, outdoor recreation and other leisure in the countryside and along the coast.

2. The quality of the Welsh environment already plays an important role in supporting a vibrant tourism industry. For example, in 2007, the study entitled the 'The Wildlife Economy Wales' estimated that activity related to wildlife contributed some £1,936 million annually to the economy and supported over 30,000 jobs. The new body is expected to build on this achievement and facilitate job creation, not only in tourism and forestry, but also in other green industries such as those which support renewable energy.

A summary of EPAC's responses

3. The responses given as answers to the questions posed in the consultation document are summarised in paragraphs 4 to 10, inclusive, below. The answers to the questions follow in more detail in paragraphs 11 to 31, inclusive.

4. The success of the single body will to a large degree be dependent on the public having a clear understanding of its purpose and role. It is therefore important that its aim and objectives are clearly defined and that the terminology used is clearly understandable to the wider public.

5. In this respect we feel that the absence of any reference to “environment” in the stated aim of the new body is a weakness. We consider the environment to be a defining element of the body’s role and one which the general public is able to relate to. We recommend that there are clear references to the environment in both the aim and the strategic outcomes of the new body.

6. We consider that the five strategic outcomes set out in the consultation document are in fact activities. We believe these should be redefined in terms of outcomes and better aligned with the drivers for change set out elsewhere in the document.

7. We believe that many of the stated duties of the new body are simply a gathering of the functions performed by the three existing bodies. The establishment of the new body presents a real opportunity to look at what Wales needs for the future and to develop a new set of duties to meet these needs.

8. We believe that the new body should have the capability of commissioning its own “mission-orientated” research consistent with its status as an independent public body.

9. Further consideration should to be given to defining the new body’s relationship with its key stakeholders. We consider that the relationship with local authorities in particular will be vital to ensure effective local delivery of the new body’s services.

10. Further to the point made above, we believe that consultation and progress with the proposals would benefit by further explanation of terminology and phraseology. Words and phrases used in the consultation document may be broadly familiar in parts of the public service and other sectors but will be obscure to other people, certainly many citizens. It is vital that words and phrases such as ecology, ecosystems, stakeholders, regulation, sustainable development, natural resources and others are clearly defined. For example, some people question what precisely is meant by sustainable development as the phrase has so many different interpretations. Is its use here in accordance or not with the Brundtland definition? If it is then that definition should be stated. All the technical and semi-technical terminology and phraseology should appear in a glossary of terms before moving ahead with further work in the setting up of the new body.

Responses to the questions numbered 1-11 asked in the consultation document

Question 1 (page 12): *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?*

11. The success of the single environmental body will to a large degree be dependent on the public having a clear understanding of its purpose and role.

As such it is important that it has a clearly defined aim that is supported by a set of objectives that are transparent and firmly focussed on outcomes. The value that will accrue from integration of the three component organisations is indicated as the Welsh Government's ambition in the document and should be a central issue in developing the proposals for the new body and delivering its services to the public. The types of issue that the three current organisations are having to address are becoming increasingly complex, and it is evident that many cannot be resolved effectively by the separate organisations as they stand. Wherever possible the benefits of integration should be demonstrated by describing examples of difficult situations that could have been more easily and effectively dealt with had a single body been in existence. An example of a particularly difficult situation is that arising from flooding and other environmental problems at Llanelli and the Bury Inlet.

Question 2 (p.12): *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?*

12. We understand the concerns that are being raised about potential conflicts of interest in the new body and the transparency of its decision making. Sometimes difficult issues arise that involve conflicting opinions and decisions among the regulatory bodies as they currently exist. These issues cannot always be resolved without detailed consideration of the law and policy, including European regulations and their interpretation. The recent permitting of Pembroke Power Station is an example of this. It may be that arrangements for the new body should include provisions for an environmental judge or independent inspector to handle such quasi-judicial matters. We re-state this suggestion in our response to question 11 below.

Question 3 (p.15): *What are your views on this phased approach? How could we improve on it?*

13. The phased approach is attractive because it will enable Welsh Government to relate the dimensions of the new body to wider legislative and policy changes affecting the environment, planning and use of natural resources, including nature conservation, and regulatory changes, as indicated in section 2.3 of the document. In this respect, it is advantageous that the planning for the new body will coincide with the development of the radical new approach for environmental and natural resources management set out in the "Sustaining a Living Wales" Green Paper. The scope for linking those new policies to the creation of a new body that would deliver the intentions of Welsh Government is a unique opportunity for Wales to put itself well ahead in its approach to use and management of natural resources.

Question 4 (p.18): *Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?*

14. We have two concerns with the wording of the principal aim for the new body as set out in the consultation. They are as follows.

- i) The aim of the new body should primarily be to deliver outcomes for the benefit of the people of Wales. The document should be more explicit in dealing with this aim.
- ii) We regret that the aim as stated does not include enough reference to the environment as a definitive entity. It is important that the environment and its conservation is highlighted as a core dimension in the work of the new body as that would help the public to better understand its central role in Wales. Environment also unifies the various dimensions of the role of the new body by being a golden thread through its activities. Moreover it is a cornerstone of sustainable development. We do not think that reference to natural resources alone provides adequate clarity of the body's role. In any case, the body will only be significantly involved with renewable (as opposed to non-renewable) natural resources.

15. To reflect these concerns we suggest the aim is reworded as follows.

“To maintain and enhance the Welsh environment for the benefit of the people and economy of Wales now and into the future”

16. We consider that the five strategic outcomes set out in the consultation document (page 18) are in fact activities. These should be redefined in terms of outcomes and better aligned with the drivers for change set out in section 2.2 of the document. As they stand these drivers are not explicitly referred to in the organisational aim or strategic outcomes and this omission, in turn, leads to blurring of the priorities as well as the focus for the new body. For instance, value for money and efficiency are a primary economic justification for the formation of the single body, and yet there is nothing in the strategic outcomes that highlights business efficiency as a performance criterion.

17. The environmental and corporate “themes” that have been defined by EAW and which are set out in its current corporate plan provide a good example of how we think strategic outcomes should be defined. By way of an example, the following strategic outcomes have been defined for its “protect and improve water and air” theme.

“We will maintain and improve water quality, promote more sustainable land management, protect and enhance wildlife, and improve the way we work as a regulator to protect people and benefit the environment, while minimising costs to businesses”

Question 5 (p.19): *What are your views on the approach to the delivery framework?*

18. There is insufficient detail around the delivery framework to provide informed comment on the consultation. However, Annex 5 does help to indicate the approach Welsh Government has in mind. We would expect the delivery framework to be strongly based around the frameworks of the

existing organisations that have been developed over many years of delivery experience.

Question 6 (p.21): *Are the functions described in tables 1 to 3 a reasonable summary of those required? How could they be improved?*

19. We believe that too many duties for the new body, defined in tables 1 to 3 (pp. 38-44), are simply statements of the functions now carried out by the three organisations that will create it. More thought should be given to defining thoroughly the functions that will be needed for the body to deliver effectively in the future. We consider that an opportunity is currently being missed to demonstrate the value of creating the new body. Welsh Government should set out its clear ambition for what the new body will need to do to address the challenges of the future.

20. Maintaining the functions that have been carried out by its components in the past will be inadequate for the purposes of the new body. Certain established functions are no longer going to be required, others are not expected to be effective, while some will inevitably attract lower priority than in the past. To ensure the new body is effective it is of paramount importance for Welsh Government to determine now the duties it has to carry out in order to address contemporary and emerging issues connected to the environment and natural resources. Look to the future first and then discover how past experience fits in.

21. In the longer term, a rationale should also be devised for attaching priorities to the various functions of the new body. We consider that this will be important as a means of justifying the resources allocated to individual functions, particularly bearing in mind that relative priorities may change significantly over time. However, no real progress can be made with this task until the new body has been established and it is able to consider its priorities and the resources that are available.

Question 7 (p.25): *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?*

22. Policy and legislation for the marine environment and fisheries are extremely complex and evolving rapidly. It may be prudent therefore not to burden the new body with responsibilities for marine licensing and sea fisheries during its early life, but to keep this under review for the future. However, we would expect the new body to provide advice and evidence to Welsh Government as it will have a significant contribution to make to marine and wildlife licensing and management. For instance, the expertise of CCW's marine and freshwater science groups will be relevant. There is also a need for the new body to look in some detail at the interfaces between riverine and other aquatic systems in terrestrial situations, on the one hand, and the coastal zone and inshore marine environment, on the other. Pollution arising on the land is of considerable significance to the marine and coastal

environment, including the problems arising in the maintenance of clean beaches for wildlife, public access to the coast and tourism.

23. It can be argued that, at present, there is not enough marine expertise in EAW or CCW to deal with the full scale of the issues. On this basis there might be a strong case for developing a separate organisation within Wales with the specific remit of marine environmental management, which would include licensing. It could mirror the work of the Marine Management Organisation (MMO) in England. This would allow the new body to focus on delivering stronger core competencies during its early years, with a potential for absorbing the wider marine dimensions, if still considered beneficial, once it is well established as an organisation.

24. The inclusion of certain aspects of wildlife licensing in the new body might give rise to conflicts of interest, although it could deliver significant efficiency gains. We consider that the risks of including all aspects would outweigh the benefits, and therefore it is probably better to retain some wildlife licensing as a function of Welsh Government.

25. We believe that the joining-up of roles currently carried out by Welsh Government and each of the three component bodies can help to deliver improved agricultural practices. EAW and CCW have direct access to farmers through their environmental duties and legislation, and FCW is also engaged with land managers in forestry and woodland contexts. The new body could therefore perform the role of an effective delivery partner to Welsh Government with the objective of improving sustainability in agriculture, forestry and woodland management, but these roles need to be clearly defined. The issues dealt with in section 5.2 indicate a will to improve the arrangements for handling a range of issues that now involve Welsh Government but could be enhanced by adopting more robust methods of working embracing the new body. This is welcomed as the fresh approach is likely to improve the efficiency and effectiveness of all concerned.

Question 8 (p.25): *Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?*

26. We believe that the new body should have the function and budget to commission its own mission-oriented research and development to support its short, medium and longer term needs. Commissioning of research through Welsh Government would bring into question the level of independence of the new body and may fail to identify the complex scientific research needed for it to carry out its mission. Without its own research competence there is a risk that the Welsh body will lag behind similar agencies in other countries. By the nature of its role and duties the new body will be well placed to commission and carry out effective relevant mission-oriented research working closely with organisations in England, the rest of the UK, and institutions overseas. There is also scope for closer cooperation with universities in Wales and beyond, which can best be pursued by experts in the new body. Obviously, it would be desirable for the liaison and commissioning work to be conducted in close

cooperation with similar interests in Welsh Government, but not led by them. Coordination should be a vital aim of the new body and that involves close cooperation with the government and all other interested parties. But in the field of environment and natural resources it should be led and organised by the new body.

Question 9 (p.30): *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?*

27. We are concerned at the lack of procedural arrangements that have been set out for public scrutiny of the new body. This will lead to increasing public scepticism over the true independence of the body, and in this respect we consider that clearer accountability needs to be built into the institutional arrangements. This issue could be addressed by setting up a statutory committee to oversee the work of the new body, and by members of the National Assembly approving appointees to its board. However, the approach to governance seems to follow procedures that apply generally to Welsh Government Sponsored Bodies. Stressing the degree of independence enjoyed by the new body is particularly important in this case, while allowing for the fact that it will be sponsored and given its resources by Welsh Government.

Question 10 (p.32): *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?*

28. Stakeholders should be identified and in each case their relationship with the new body described. The relationship between the new body and local government is very important as the local authorities should be a delivery partner. We think an opportunity is being missed in the consultation for defining and underlining the importance of this relationship. We believe the remit for the new body should set out its advisory role in support of local government as well as national government. In that context Welsh Government should establish a clear procedure for engagement between the body and local authorities in Wales so as to demonstrate the expectation for partnership working and joined-up local delivery, and measures should be included in the legislation to provide for such delivery. High priority should be given to dealing with this matter as it has a profound relevance to the delivery of the new body's work on the ground. There is general disappointment with the limitations that have prevailed over the years, for a variety of reasons, in the levels of cooperation and joint action among the environmental and countryside bodies and the local authorities.

29. We consider that area committees should be set up by the new body in consultation with Welsh Government and the county and borough councils, possibly based around the six existing regional groupings of local authorities, to encourage a team-based approach towards local issues. Such committees could include the voluntary sector, health and social services, heritage, universities, landholding, farming, forestry and business sector

representatives, as well as the local councillors and their staff. The interaction that does or should exist among a large number of bodies, in which local authorities play a pivotal role, has been demonstrated in many circumstances involving the environment and natural resources. EPAC made a special study last year of the situation at the Burry Inlet, for example. Above all it demonstrated the wisdom of creating an integrated body for the environment and natural resources that could work more effectively with local authorities and others dealing with complicated issues on the ground. Such work would include education and training for councillors and officers who deal with policy and executive action relating to the environment and natural resources

30. We also consider that there should be a clearer role for the new body to educate and inform children and young people, and citizens generally. This will encourage better practises in the future. In this respect it can have defined roles in curriculum enhancement, such as those adopted in various ways by EAW and CCW, as well as delivery of interpretative and educational activities for the public out in the field, a task carried out with much success by FCW in its forests and CCW in its nature reserves.

Question 11 (p.34): *What are your views on these aspects of the regulatory arrangements?*

31. We consider the appraisal of these aspects in the consultation document gives an appropriate assessment of the main issues in regulation. We particularly agree with Welsh Government's view that effective regulatory decision making should be independent of the political process and that decisions have a lawful, transparent and rational basis that balances all relevant interests and in so doing protects the environment. Sometimes, difficult issues arise that involve conflicting opinions and decisions among the different regulators. They cannot always be resolved without detailed consideration of the law and policy, including European regulations and their interpretation. The permitting of Pembroke Power Station is a recent high profile example of such a case. It may be that arrangements for the new body should include provisions for an environmental judge or independent inspector to handle such quasi-judicial matters.

If you would like to discuss any aspect of this report with me, please call me on 01248 370401 or 07976896993. I would be happy to meet with you if that would be helpful.

Yours sincerely,

Tom Pritchard, Chairman, EPAC, 26 April 2012

From: Mo Morgan NATUR [mo@natur.org.uk]
Sent: 27 April 2012 12:02
To: SEB mailbox
Subject: Natural Resources Wales (NRW) consultation

Attachments: NATUR response to WG Natural Resources Wales 270412.pdf; ATT2578103.htm
NaturalresourcesWales - Proposed arrangements for establishing and directing a new body for the
management of Wales' natural resources

Please find attached a copy of our response to the consultation.

NATUR

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27th April 2012

NATUR 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

Natur welcome the opportunity to comment on this consultation on the proposed form of the new body to replace the Countryside Council for Wales, the Environment Agency and the Forestry Commission in Wales. Our comments should be read in conjunction with comments on the current Welsh Government consultation on the proposed function of the new body Sustaining a Living Wales.

We have structured our response in four parts; the first setting out our objection to the way the consultation has been carried out; the second objecting to the aim and intentions within it; the third gives detail of specific concerns and the last section gives Natur answers to the questions within the consultation document.

S16 of the Public Bodies Act 2011 states that "*Welsh Ministers may only make an Order if it does not remove existing protection*". On this basis we advise that an order cannot be made based on the current consultation document.

We hope that our comments and advice will be viewed as a positive contribution to this consultation. We would be pleased to contribute further through stakeholder engagement and work stream involvement.

Yours sincerely

Mike Alexander
Executive Director

1 We wish to register an objection to the nature and timing of the consultation process, which has not been conducted in a logical, cost-effective and transparent manner. Form should follow function.

It is necessary to develop and agree the aspirations within the Sustaining a Living Wales Green Paper first; then determine the organisational arrangements required to deliver it. Then, if it is decided this would be best served by a single body as proposed; ensure its core purpose and structure are properly aligned to the aims of the Green Paper.

We are not convinced by the arguments given to justify this approach in 2.5 of the NRW which includes the statement “much of our strategy is already set out (see Annex 1)” as Annex 1: Strategic Delivery Needs, as currently drafted, is not fit for the purpose of providing a strategy for the SB. The same section 2.5 includes the statement “*the business case has provided us with confidence that bringing together the three organisations represents the best option for the future*”. We are not confident in the financial case; refer to our answer to question 1 in section 4 of this response; concerns which should be addressed.

- 1.1 The consultations are taking place in the wrong order which has already resulted in problems with timing and implementation. A significant amount of restructuring regarding the SB has already taken place, before the consultation period is over, with the recruitment of selected staff to the Living Wales Programme, to the detriment of existing programmes. Staff involvement should be reassessed and restructuring suspended until the Green Paper consultation outcome is apparent and then be aligned with that. In the meantime, there are undoubted improvements to be made through the sharing of services, co-location and better communication.
- 1.2 The language used in the document is unclear, misleading and sometimes wrongly used or defined. Ecosystem, for example, is defined in WG’s own Definitions paper and is not the same as biodiversity, which is also defined in the Definitions paper. The definition of the Ecosystem Approach given in the NRW is misleading as the emphasis is wrongly on “*equitable sharing*”, implying equal weighting for environmental, social and economic issues, which cannot be the case in all situations. This short definition also does not have any mention of ecosystem structure and function or time element within it, such as the need for longer term decision making. The Ecosystem Approach is more accurately described by the 12 CBD principles which are given in the WG Definitions paper. Refer also to point 2.4 of this response.
- 1.3 We seek assurance that the consultation responses will be published in full on the WG website and that a summary, analysed in an objective, and where appropriate, quantitative way, will be published within a month of the consultation end. We seek assurance that no substantive Ministerial statements will be made until this process is complete.

- 1.4 The public and specialist consultation processes set up under the Natural Environment Framework (A Living Wales) programme, such as the work streams, have effectively stopped for 3 months, since before the launch of the Green Paper at the end of January. We seek assurance that effective engagement with stakeholders will be (re)established, in line with the adoption of the Ecosystem Approach, as soon as possible so they may help shape the function and form of the new Single Body.
- 2 We wish to register an objection to the aim and intentions** stated within this NRW consultation on the new Single Body. The proposed aim of the SB in the NRW is: *"To maintain, improve and develop Wales' natural resources, to deliver benefit to the people and economy of Wales now and into the future"*. This aim includes no mention of the environment and is a developers' charter; that is, business as usual for short term economic gain without mention of sustainable development. In contrast to the NRW aim, the stated aim for public bodies in the Sustaining a Living Wales Green Paper which Natur members could sign up to is: *"To ensure that Wales has increasingly resilient and diverse ecosystems that deliver environmental, economic and social benefits now and in the future"*. We advise that the Sustaining a Living Wales Green Paper aim must also be the clearly stated aim of the SB. We are concerned that within the shadow SB the aim and objectives stated in the Natural Resources Wales consultation appear to be taking precedence over the aim and objectives in the Green Paper consultation
- 2.1 There is a significant risk that the proposals will remove existing protection to the environment as there is a lack of clear commitment to continue to designate, manage, monitor, enforce and adequately resource protected areas within the NRW in contravention of existing legal and treaty obligations. As it stands the proposals do not address the WG's obligations under S28G and S85 (1) of the Wildlife & Countryside Act 1981 (as amended) to further the conservation and enhancement of special sites and to have regard to the purpose of conserving and enhancing natural beauty. S16 of the Public Bodies Act 2011 states that *"Welsh Ministers may only make an Order if it does not remove existing protection"*; therefore on this basis we advise that an order cannot be made based on the current consultation document.
- 2.2 There is significant contradiction and inconsistency between the two WG documents currently out for consultation - Natural Resources Wales with proposals for establishing a new Single Body (SB) and managing Wales' natural resources and the Sustaining a Living Wales Green Paper for the proposed Environment Bill in 2014/15.
- 2.3 There should be clear reference to the SB having a duty to conserve the environment of Wales, which is our life support system and has intrinsic value. The new body must have a clear focus on the environment to rebalance the current focus on short term economic gain at the expense of the environment.

- 2.4 Sustainable development needs to be more clearly defined, audited and regulated so that 'green washing' is not prevalent. Sustainable development is mentioned on 50 instances in the NRW document. SD is defined in the WG Definitions paper but the partial definitions given in the NRW are not the same, on page 45 for example, "*A healthy environment is a key aspect of sustainable development*". This and other text imply that the environment will continue to be traded off or balanced against often short term socio economic 'aspects'. A consistent approach on this and other important definitions is required. We appreciate that a Sustainable Development Bill is planned for the autumn of 2013 but as this is after the proposed vesting date in April 2013 for the new body, clarification of how SD and the adoption of the Ecosystem Approach would work in practise is needed now. This clarification of work in practise should then inform the function and form of the new body.
- 2.5 We are surprised and disappointed that no reference is made to The Economics of Ecosystems and Biodiversity (TEEB) study in the context of sustainable development and the Ecosystem Approach. The TEEB study is a major international initiative to draw attention to the global economic benefits of biodiversity; to highlight the growing costs of biodiversity loss and ecosystem degradation and to draw together expertise from the fields of science, economics and policy; to enable practical actions moving forward.
- 2.6 There should be written commitment to "*adopt an ecosystem approach*" which is "*the central proposal*" within the Green Paper consultation. The current wording in the NRW "*using the ecosystem approach to inform how it undertakes its work*" is not clear and not the same adopting the Ecosystem Approach.
- 2.7 As stated in the Green Paper "*About a third of the land, three quarters of the coastline and a third of the seas of Wales are subject to designations for natural beauty or cultural significance (such as National Parks and Areas of Outstanding Natural Beauty) or designations for habitats, geological features and species protection (such as Sites of Special Scientific Interest and Special Areas of Conservation)*". " There needs to be a clear commitment to the safeguard of protected areas, which are central to the delivery of the aim in the Green Paper ("*increasingly resilient and diverse ecosystems*"), as well as climate change adaptation and mitigation.
- 2.8 The document (page 62) states under 'what will success look like 'No 3 "*A coherent and resilient ecological network, both terrestrial and marine, has been planned and ways of achieving it are in place.*" This is not an outcome or a success. A plan is only a plan and until there is action on the ground, and associated monitoring, it is not possible to be clear if the planned action will happen or if it will achieve the 'right' outcome.
- 2.9 The grading of A (totally under the control of the Single Body) given to No 9 indicator in Annex 5 "*Percentage of features on Protected Sites in favourable or recovering position*" is incorrect and more accurately described as B = 50% SB or C= mainly others.

3 Specific Concerns

3.1 Natural resources

3.1.1 The NRW consultation “*seeks your views on the proposed arrangements for establishing and directing a new body for Wales’ natural resources*”. However there is no common understanding of what natural resources includes and excludes within the Welsh public and significantly within the Welsh Government itself. The central proposal therefore within this NRW consultation is in itself unclear. How do natural resources for example relate to ecosystem services and how does natural resource planning relate to existing Local Development Plans? The WG Definitions paper defines natural resources as the products or goods we get from the environment not the processes and not the urban and cultural services.

3.1.2 It is not clear what natural resources cover and how their management may be regulated or influenced across most of Wales including on agricultural land and on the sea. No clear delivery mechanisms are identified whereby Wales can move towards “*one planet usage*”, biodiversity targets may be reached and the environment better managed to benefit society in the long term. However, it is unreasonable to expect all this to be delivered by the SB. Only the involvement of all sectors of Government and society can achieve this. There is no evidence presented to demonstrate this involvement.

3.1.3 The relationship between the Ecosystem Approach, ecosystem services, natural resource management and sustainable development, needs to be clarified before we can judge whether a better approach is being proposed.

3.1.4 There is concern that the existing protection for the environment will be lost, compromised and/or under resourced by the new SB in its efforts to deliver a version of natural resource management and to show that Wales is “*open for business*”.

3.2 Forestry and renewable energy bias

3.2.1 The NRW (for example pages 11, 14, 58) is strongly biased towards commercial forestry. This is prejudicial to the application of the ecosystem approach, the central proposal within the Green Paper, which requires a holistic and objective view of the environment. The document is very defensive of commercial forestry and suggests also that the new single body should “*be viewed as a champion of’ renewable energy both in its direct delivery and through its wider work*” (page 62). The public are unlikely to have confidence in the regulatory objectivity of a new environmental body biased towards energy generation or production forestry. In contrast there is little or no weight given to the excellent work FCW have carried out in relation to the cultural services such as access, recreation and landscape, which in turn are very important for tourism and the economy of Wales.

3.2.2 The SB should be, and should be seen to be, objective in its assessment of all energy and timber proposals in line with the principles of sustainable development and conservation of the environment. Inappropriate development can damage the environment, landscape and tourism. The SB should also have influence over decisions affecting non-renewable energy and energy conservation.

3.2.3 The SB should be established with an objective knowledge base and understanding of the management of all of the ecosystems in Wales including all their contributions to carbon sequestration and their interrelationships. For example where tree planting is damaging and felling licenses are required, priority should be given to the broader environmental factors over narrow forestry interests.

3.3 Climate change adaptation and mitigation

3.3.1 There is a lack of account shown for the practical measures and ecosystem management needed for climate change adaptation and mitigation. Managing for bigger, better and more connected habitats and ecosystems, a guiding principle of climate change adaptation/mitigation, should be a clear priority for the new body. The

NRW currently focuses on carbon sequestration, tree planting and renewable energy rather than carbon sequestration across all ecosystems in Wales on land and sea and energy conservation measures, including options for the built environment and transport. This is contrary to the FC Information Note, Forests Carbon and Climate Change: the UK Contribution, Mark Broadmeadow and Robert Mathews of Forest Research, June 2003 which clearly shows that forestry can only make a minor contribution to Wales' carbon budget.

3.4 Environmental limits

3.4.1 Environmental limits should be established to allow time to monitor and for the results of monitoring to feedback into management change, allowing for ecosystem time lags as per the Ecosystem Approach. The way environmental limits are stated currently in the document, is not reassuring and implies that consenting will continue to be allowed to over the stated 'environmental limits' which makes the limit setting (and responsible body) lack credibility. Annex 5 page 62. The document states under 'what will success look like' No 2 "...with environmental limits less frequently reached..." We advise that this is not an objective outcome or measure of success.

3.5 Risk assessment processes

3.5.1 There should be an analysis of existing consenting and enforcement processes before changes are made to make the consenting and enforcement processes more effective. There is a lack of evidence presented on which to base decisions.

3.5.2 The precautionary principle must be retained, it is a core principle within the Convention on Biological Diversity to which the UK is a signatory

State (Principle 15) and is enshrined in UK law. One of the primary foundations of the precautionary principle, and globally accepted definitions, results from the work of the Rio Conference, or "Earth Summit" in 1992. Principle 15 of the Rio Declaration notes:

"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."

3.6 Regulation

3.6.1 There should be emphasis on making the regulation more effective in achieving its desired outcomes rather than merely "simplifying and integrating regulatory approaches" as stated in the NRW.

3.6.2 33% (21) of respondents to A Living Wales consultation Sept-Dec 2010 (of those expressing an opinion on regulation) said that there should be better implementation and enforcement of existing legislation, citing current problems as being lack of resources and lack of political will. Virtually all respondents to the HMG's Red Tape Challenge on wildlife legislation demanded more and better regulation and its enforcement, providing a powerful mandate to Government.

3.7 Welsh Government Strategies and SEA

3.7.1 NRW states that the SB will help deliver Welsh Government Strategies but does not state that these strategies will be subject to Strategic Environmental Assessment (SEA). These strategies and programmes include Glastir, the Wales Coastal Path and the Wales Woodland Strategy. These strategies and possibly the Living Wales Programme itself should have SEAs as they are potentially likely to have a significant effect on the environment. The process of SEA, by an independent body, is designed to make the original plan or programme more environmentally sustainable. Under the SEA Directive Member States must monitor the significant environmental effects of the implementation of plans and programmes in order to identify unforeseen adverse effects and undertake appropriate remedial action. Ironically there is a section (6.6.2) in NRW on SEA without reference to the obligation for WG to assess its own plans and programmes.

3.8 Environment Strategy Wales

3.8.1 The paper does not show sufficient commitment to the new body achieving the 39 Environment Strategy Wales (2006) outcomes and does not make sufficient use of this clear document which forms the "Welsh Assembly Government's long term strategy for the environment of Wales, setting the strategic direction for the next 20 years". The Annex 1 reference to the Environment Strategy (page 45) rather bizarrely highlights the need to protect public health and safety which is not evident in the environment strategy outcomes summary.

3.8.3 No reference for example is made to the ES Outcome 21: *“By 2010, 95 per cent of international sites in favourable condition; by 2015, 95 per cent of Welsh SSSIs in favourable condition and by 2026, all sites to be in favourable condition.”* Failure to meet the first of these targets, along with the failure to deliver the 2010 Biodiversity targets, was the original reason given for the initiation of the Natural Environment Framework and the WG A Living Wales consultation. We would welcome review and clarification of WG commitment to the ES Wales targets.

3.9 Glastir

3.9.1 We are concerned at the low uptake of Glastir (which is cited as the main delivery mechanism (section 5.3.5 page 24)), albeit a voluntary scheme, through which the SB may influence the agricultural landscape, which covers at least 80% of the land area of Wales. We are also concerned that Glastir has not been taken through the SEA process and that some prescriptions as applied will damage the environment. We advise that Glastir is comprehensively reviewed and administered by the SB. There needs to be analysis/review of this delivery mechanism together with other delivery mechanisms.

3.10 Strategic outcomes

3.10.1 The strategic outcomes on page 18 are a rather a strange mix of potentially conflicting aspirations starting with health and safety. The NRW 'outcomes' are not true outcomes, are not measurable and do not bear close relation to the current functions of the bodies. The duty for health and safety appears to be over stressed. We advise that the strategic outcomes for the new SB are redrafted as a matter of priority.

4 **Answers to consultation questions**

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 is no evidence that this proposal in its current form will meet the objective of *“delivering more integrated management”*. We would be more supportive of *“creating a single **environmental** body for Wales”* rather than a new Single Body as this implies that the new body would be responsible for conservation of our environment. We suspect the inclusion of *“environmental”* here reflects a lack of proof reading rather than intention?

The business case is unsound. The Business Case implies a saving of £68M over 10 years which constitutes an approximately 4% saving on the current funding arrangements; a saving which is insignificant, and most importantly could be negated through the most minor error in calculations. We believe in particular that the costs of buying in or replacing technical and support services from EA or FC (GB) have been seriously underestimated.

The other costs, benefits and disadvantages of replacing the current 3 organisations with a SB have not been given sufficient attention or analysis. We can be certain that there will be huge disruption for a long period in the run up to, and post establishment of the new SB. How many years will it take to obtain acceptable levels of efficiency, effectiveness and reliability? Has sufficient attention been given to full range of peripheral and incidental costs, for example, rebranding, signage, infrastructure etc. How can expensive changes without practical benefit be justified in the current time of financial recession and uncertainty? We advise that a more phased and considered approach is taken following analysis of current good and bad environmental practice.

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?*

This entire process of establishing a SB lacks any obvious logic until the purpose and function of the agency have been agreed following the Green Paper. The process should be halted until the Green paper consultation has been completed and then reviewed. There is no sense in establishing a new body when the purpose has not been agreed. In our opening comment, we expressed our concerns about the alarming discrepancies between the Green paper consultation and this consultation. It would appear, from the contents of this consultation document that major decisions about the shape and function of the new SB have already been made, long before either consultation is complete.

We are very concerned about the way in which commercial forestry interests have affected the new SB consultation process. We have already noted and expressed our considerable alarm, in our opening statements, that the entire proposal is strongly biased towards commercial forestry. We advise that there should be clear separation between commercial forestry; woodland grants and the regulatory functions.

The stakeholder concerns regarding protected areas, management of the environment and biodiversity targets, expressed strongly in responses to the WG A Living Wales consultation, have not been included in section 2.4 or addressed in your proposals. These concerns could be addressed by following the advice given in the sections 1-4 of this response.

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

We have serious concerns about the current approach as expressed in sections 1-3 of this response. The phases are out of order. We advise that the purpose of the Single Body is taken from the Green Paper so there is a clear environmental remit and that the strategic outcomes are redrafted.

The process should include stakeholders with logical phases and transparent processes. The first phase is the determination of aims and objectives, the second is the determination of the regulatory and management functions and the third is the determination of an organisational structure to deliver the functions and achieve the aims.

In the meantime we would support the development of an appropriate management infrastructure which focussed on the provision of support services, for example, IT, human resources, payroll etc. During this period the existing functional delivery teams should continue without interruption to ensure that our ability to fulfil all obligations and duties is not interrupted. The process of integration could then follow as future functional requirements are identified.

We do not understand why there has been such a rush to completely reinvent an organisation which appears to take little account of collective expertise, experience and considerable successes. We are given the impression that at some level there is a presumption that everything has failed and all must be replaced. No evidence is presented for this assumption.

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 answer to this question is unreservedly **NO**. We cannot support the principal aim, intentions and outcomes in the Natural Resources Wales document as they are unclear; in places potentially damaging; and contrary to the principles of the Ecosystem Approach.

In our opening remarks we highlighted the discrepancies and contradictions between the Green paper consultation and this consultation. It not possible to evaluate any inputs or outputs (activities) until Government publish their properly drafted desired outcomes for the environment.

The strategic outcomes of the SB should be closely aligned with the 12 principles of the Ecosystem Approach.

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

We cannot really answer this question as there is only a minimal indication of the approach given. The illustrative example provided (Annex 5) is not fit for purpose, it is extremely naive and demonstrates an alarming lack of understanding. It is certainly not appropriate for such an important development. Our advice is that the delivery framework needs to be redrafted by a small team of competent and experienced professionals with stakeholder review.

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

The simple answer is NO.

The functions do not cover protected areas *per se*. Table 1 assumes that the purpose and function of protected areas is to conserve restore and enhance ecosystems. That is not their intended purpose and design (though it may be a laudable outcome and a necessary mechanism in management) and the subtle distinction has been missed. Some SSSIs, for instance, are to conserve a single species or a geological feature. Ecosystem conservation restoration and enhancement must be addressed much more widely and while protected areas may provide reference standards and tools in some instances, they are not necessarily the only tool. Protected areas have a function in their own right. Protected areas may also have a function in helping to deliver ecosystem conservation, restoration and enhancement and ultimately ecosystem services.

The functions set out in the tables 1-3 are not correct in terms of current functions – there is confusion with legal duties which are sometimes merely listed as 'illustrative examples'. In order to make a meaningful assessment we need a complete account of the activities and legal duties as they relate to current functions.

We advise that tables 1-3 should be redrafted with stakeholder review.

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 are concerned about the transfer of forestry policy to the Welsh Government if this then results in a bias towards commercial forestry interest and commercial woodland planting above all else and away from more balanced environmental decision making, based on an Ecosystem Approach.

We note that other policy staff would be moved across to WG and would seek assurance (as is stated for forestry) that WG policy staff work closely with technical staff in the new SB across all the ecosystems in Wales to maintain close links between policy and practice.

We are concerned that losing scientific policy staff from the SB to WG could result in a loss of competence from a hopefully independent body to a Government body.

We are supportive of badger licensing being completely under WG. The statistic of 60% of license applications being from FCW/EA (on only 10-15% of the land area) implies there is a current widespread lack of compliance with this legislation.

We have concerns about marine licensing being transferred to the new SB. We suggest the following 'improvements':-

- (i) decision making would need to be based on the Ecosystem Approach;
- (ii) appropriate consenting and licensing rely on the new Single Body having scientific independence and competent and skilled staff;
- (iii) being adequately resourced;
- (iv) taking advice from other sections within the SB.

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

There is a lack of recognition regarding the need to retain internal expertise. Commissioning, assessment and interpretation of research is an expert function. It is not clear what "gathering evidence of environmental issues on the ground in Wales to inform interventions" actually means.

There is a demonstrable need to retain technical specialists within the Single Body; The SB cannot effectively and efficiently commission and interpret research without this, nor will it be able to manage contracts or provide consistent in house advice on the SB specialist functions, including those underpinning licensing, enforcement and site designation.

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 would query whether under the current proposals the new SB would be sufficiently independent of the Welsh Government to inspire public confidence. We suggest that procedure and process is clearly defined from the start on the assumption that difficult long term decisions will sometimes have to be made which WG/Ministers will not agree with, if as proposed in the Green Paper, the SB follows an Ecosystem Approach. The Single Body must be free to deliver advice which may be unpalatable or inconvenient.

There are concerns that there will be a subsuming of debate and conflict within a single body and a loss of independence in terms of advice regarding the environment. For example the commercial forestry interest may support a wind farm development on peat within a forestry plantation because it would bring in an income and provide renewable energy. Other sections of the SB could object on the environmental grounds of damage to peat and wetland ecosystems, access provision and the negative impact on landscape (and tourism).

Natur support the proposed arrangements, as suggested at the top of page 34, to include provision of a decision document. Presumably this process would require legislative change, auditing and public scrutiny and would take time to set up? Interim measures for decision making would therefore need to be in place as soon as the shadow body is formed.

One major concern is that the SB would frequently be in the position of self-consenting. Any system established must demonstrate independence of the individuals asking for consent from those making the decision through a system of audited QA so the proposal can be competently and independently assessed. All agreed functions and sectors represented by the new body would need to be given equal and fair treatment both within and outside the SB.

You could improve the proposed arrangements by the new SB and WG signing up to and implementing the Government Office for Science 'Principles of Scientific advice to Government' shown on the attached link:

<http://www.bis.gov.uk/go-science/principles-of-scientific-advice-to-government>

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 do not believe that the appropriate stakeholders, including rural business interests such as business reliant on tourism, are being engaged. The NEF work streams have stopped operating effectively since before the Green Paper launch at the end of January; it is unclear to stakeholders what is happening to them and how or if they may be replaced.

NATUR is a significant stakeholder with professional expertise in environmental management; we responded to the previous 'A Living Wales' consultation, yet we feel completely disenfranchised. The process of establishing the SB

appears to be a *fait accompli*. The recruitment of selected staff to the Living Wales Programme has not been perceived by staff as a clear and transparent process. There will need to be re establishment of fair and open competition to the SB to regain staff confidence. We are concerned that recruitment of staff has reflected an approach based on the concept of natural resource planning rather than adoption of the Ecosystem Approach. This staff recruitment may then influence the function and form of the SB, away from being an environmental regulation and management body, to a natural resource utilisation body.

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

The penultimate paragraph (p34) is good – *“In our view, the key issues are that effective regulatory decision making should be independent of the political process and that decisions have a lawful, transparent rationale which balances all relevant interests and, in so doing, protects the environment”* but we worry that ‘balance’ is open to wide interpretation. In the penultimate paragraph, we suggest that ‘balances’ should be replaced with ‘assesses’. This enables all relevant interests to be included in decisions, but does not predetermine the outcome by some presumption of balance (which is open to personal interpretation) rather to appropriate priorities in accordance with policy and law.

We need to know how the regulations will be enforced and what changes are likely to be made to the existing arrangements. Refer to point 3.5.2.

However, the general message, from many working in the field, is that we need improved compliance monitoring and enforcement as well as simplify regulation.

There should be analysis of current good practise and bad practise and decisions made on the basis of the environment and stated outcomes not primarily on what is easy and quick for the applicant. Regulation is probably best done by local teams working with good access to HQ experts and policy framework guidance. Enforcement is probably best handled by a specialist HQ team working closely with the local experts. Regulatory processes need to take account of proposals submitted by developers to develop in the wrong place where there cannot be compromise or adequate mitigation.

Centralised regulation (such as that established by EA) can go very wrong; for example, the granting of waste exemption licensing, where a form is submitted to a centralised team based at a considerable distance from the work, with a post code given of a farm holding and not the grid reference of the dumping site. The license may then be granted without environmental checks on any, or indeed the right, piece of land. There is then no follow up compliance or environmental monitoring. The problem can then be further compounded by there being a lack of reporting of a damaging environmental event so it not then possible to learn from this bad practise. **END**

From: Fiona Gale [fiona.gale@denbighshire.gov.uk]

Sent: 27 April 2012 12:39

To: SEB mailbox

Cc: p.crane@dyfedarchaeology.org.uk; Chrismartin@CPAT.ORG.UK; emily@heneb.co.uk; John.Roberts@eryri-npa.gov.uk; l.austin@dyfedarchaeology.org.uk; neil@ggat.org.uk; steve.greuter@wrexham.gov.uk

Subject: Response to SEB from ALGAO Cymru

Hello

Thank you for giving us the opportunity to respond to the proposals to establish a single environmental body in Wales, the amalgamation of the Countryside Council for Wales, Forestry Commission and Environment Agency Wales.

This response represents the views of the Association of Local Government Archaeological Officers Cymru. The response is broad ranging rather than specific answers to specific questions.

It is important to recognise that Wales is a cultural environment and landscape, nowhere is entirely natural and without the impact of human intervention. There is a continuity between the landscape and the seascape and enormous resources of information about the Welsh environment are held in the Historic Environment Record for Wales.

As a group there are concerns that it is not proposed that the Agri-environment schemes fall within the remit of the proposed new organisation. We feel that it is important that such schemes do fall to the new body, thus allowing a continuity of management and understanding of the environment of Wales, both natural and historic.

Currently all three bodies have historic environment expertise, particularly EA and FC on a national UK basis.....It is important that this expertise is not lost by the formation of a single, Welsh body. It is important that this expertise remains and where there are gaps, expertise is drawn from elsewhere. Finally it is important that ALGAO remains a key stakeholder in the process and continues to be consulted and involved in the new processes and the setting up and establishing of the new Body.

I would be grateful if you could acknowledge receipt of these comments.

Thank you

Fiona Gale
Chair ALGAO Cymru

Fiona Gale Archaeolegydd y Sir / County Archaeologist
Adfwio Thwristiaeth/Regeneration and Tourism
Adran yr Amgylchedd/Environment Directorate
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Mae'r wybodaeth a gynhwysir yn yr e-bost hwn ac unrhyw ffeiliau a drosglwyddir gydag o wedi eu bwriadu yn unig ar gyfer pwy bynnag y cyfeirir ef ato neu atynt. Os ydych wedi derbyn yr e-bost hwn drwy gamgymeriad, hysbyswch yr anfonwr ar unwaith os gwelwch yn dda.

Mae cynnwys yr e-bost yn cynrychioli barn yr unigolyn(ion) a enwir uchod ac nid yw o angenrheidrwydd yn cynrychioli barn Cyngor Sir Ddinbych. Serch hynny, fel Corff Cyhoeddus, efallai y bydd angen i Gyngor Sir Ddinbych ddatgelu'r e-bost hwn [neu unrhyw ymateb iddo] dan ddarpariaethau deddfwriaethol.

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Welsh Government Consultation

Natural Resources Wales

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

Response from the South Wales Local Authorities

This response has been prepared by the South Wales Countryside Services Improvement Group comprising the countryside service departments from the organisations listed below. The lead and author of this response is Norman Liversuch, Chairman and Manager Countryside and Landscape Services for Caerphilly County Borough Council.

Blaenau Gwent County Borough Council
Brecon Beacons National Park
Bridgend County Borough Council
Caerphilly County Borough Council
Cardiff County Council
Carmarthenshire County Council
Merthyr Tydfil County Borough Council
Monmouthshire County Council
Neath Port Talbot County Borough Council
Newport City Council
Rhondda Cynon Taf County Borough Council
Torfaen County Borough Council
City and County of Swansea
Vale of Glamorgan County Borough Council

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 proposal is supported in principle subject to ensuring that the SB is organised to manage the potential conflict between various disciplines when considering regulatory, development and management functions. This is where the use of a robust sustainable development integration approach/tool will need to be adopted as part of the culture within all parts of the organisation, operating at all levels from strategic planning to delivery.

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? :

What will be the role of the SB in developing and delivering the Wales Infrastructure Investment Plan? The latter will need to identify and prioritise land for specific uses with management options. For example the woodland estate and how it is managed for timber production, recreation, fuel, biodiversity etc.

Commercial skills and experience in within Forestry Commission Wales are likely to be beneficial to wider environmental opportunities in terms of how the environment can support commercial activity. Such skills will need to be nurtured and developed.

Industry concerns regarding regulation and the stifling of development are unlikely to become a reality. The SB has the potential to resolve the existing situation where there are a multitude of regulatory issues that private developers are grappling with which can involve dealing with each of the three organisations separately, and the regulations can conflict when dealing with specific sites. The SB needs to be structured to provide a more coordinated and integrated approach so that these problems are reduced.

The merger needs to lead to greater clarity on the roles and responsibilities between the SB and other stakeholders and that there are clearer lines of accountability and communication especially during emergency situations. Local authorities need to be fully involved in the development of work streams to ensure there is clear understanding in terms of the way in which the SB will work with the local authorities.

The exact nature and detail of the relationship between the SB and WG must be clear in order for effective and independent working and appropriate resource provision in to the future.

It will be important to ensure that critical matters will be overlooked and lost during the process, including but not limited to the recognition of the intrinsic value of the environment as mentioned in the Environment Strategy for Wales (2006).

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

It will be important to consult fully with stakeholder and partner organisations including the local authorities before any decisions are made. During the process it is vital to consider the impact of any early decisions or lack of decisions that may impact unnecessarily negatively on long-term environmental programmes; typically this may include funding decisions that can impact on environmental delivery for many years due to lost capacity and expertise. As such transitional arrangements must ensure that service levels are not reduced, particularly at front line services.

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 will be a fundamental role of the SB to represent the environment in the process of embracing sustainable development as a central organising principle, champion what this means and how it can be applied to practical project development and delivery. This needs to be embedded in the culture of the SB and reflected in its principle aims, strategic approach and outcomes. There should be greater emphasis on the communication of the SB objectives.

There are two additional but important strategic outcomes:

6. Contribute to life long learning by promoting the outdoors as an educational resource and a conducive environment for education.
7. Stimulating economic prosperity linked to tourism and providing a quality location for business investment.

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

Notwithstanding the initial fundamental matter that there should be a strategic plan for any SB to work towards, a delivery framework will be essential but it needs to be set out in a user friendly format with clear measurable objectives that use plain and simple language.

It might be helpful if the objectives were set out in accordance with the ecosystem services categories with practical examples of initiatives that could deliver the objectives. The current version is not in this format.

There appears to be insufficient emphasis on the economic opportunities that the natural environment is able to deliver.

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

There are some areas of work missing:

Table 1:

Much of the tourism economy and opportunities in Wales are dependant on the natural environment but this is not mentioned. A key role of the SB will surely be to develop and manage tourism infrastructure that can be promoted by other parts of the public sector, private and voluntary sectors.

Whilst there is mention of specific nature conservation designations, the biodiversity resource in Wales is not confined to designated sites. Biodiversity conservation and enhancement is relevant to all areas of Wales and is a key consideration in any sustainable development approach. Biodiversity conservation and enhancement warrants a specific function within Table 1.

There is reference to planning and managing water resources but there is no acknowledgement of the role that water plays in the provision of public benefit for access, recreation, fishing, boating, canoeing, outdoor adventure etc. This is an important area that should be included.

Invasive species should also reference Japanese Knotweed, Himalayan Balsam, Signal Crayfish and the need to reduce these.

The promotion of the natural environment and how it significantly contributes to the economy of Wales, the education of its people together with the wide

ranging health benefits and opportunities including promoting social cohesion should be included as a key role of the SB.

Table 3:

Everything should be within the context of and have regard to sustainable development.

There is no reference to protecting or enhancing biodiversity; the living element of our environment.

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? :

Having the lead and strategy in one body makes good sense providing WG and others listen to and take account of advice coming from the SB.

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

The importance of research is welcome and it seems sensible to coordinate.

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 will be important for the board to comprise appropriate representation from the local authorities, which should be specifically identified. It will be the local authorities that deliver much of the policies.

The exact nature and detail of the relationship between the SB and WG must be clear in order for effective and independent working and appropriate resource provision in to the future. This is even more pertinent due to the nature in which the SB is being set up, i.e. before a strategic delivery plan.

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 what extent can the Valleys Regional Park approach be utilised to develop collaboration and coordinate delivery?

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

There needs to be clear separation between regulation and implementation.

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

With reference to the proposal regarding Internal Drainage Boards, could subsuming them in the SB mean that WG is taking away local accountability for decision making and alienating stakeholders?

The SB must have clear and simple organising and focussed principles in order that it gains the confidence and trust of staff, politicians, partners, the general public and stakeholders. There must be a demonstrable equal balance of regulation and proactive improvements to the benefit of the majority of society.

From: Liversuch, Norman [LIVERN@CAERPHILLY.GOV.UK]

Sent: 27 April 2012 14:00

To: SEB mailbox

Subject: Consultation on the Natural Resources Wales

Attachments: SWCSIG Response v2 to the WG Single Body Consultation.doc

Dear Sir or Madam,

I have attached a response to the above consultation which has been prepared on behalf of the South Wales Countryside Services Improvement Group comprising the countryside service departments from the organisations listed below. The lead and author of this response is myself, Norman Liversuch, Chairman of the group and Manager Countryside and Landscape Services Manager for Caerphilly County Borough Council.

Blaenau Gwent County Borough Council
Brecon Beacons National Park
Bridgend County Borough Council
Caerphilly County Borough Council
Cardiff County Council
Carmarthenshire County Council
Merthyr Tydfil County Borough Council
Monmouthshire County Council
Neath Port Talbot County Borough Council
Newport City Council
Rhondda Cynon Taf County Borough Council
Torfaen County Borough Council
City and County of Swansea
Vale of Glamorgan County Borough Council

Yours

Norman Liversuch
Manager Countryside and Landscape Services

<<SWCSIG Response v2 to the WG Single Body Consultation.doc>>

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'Mae'r e-bost yma ag unrhyw ffeiliau trosglwyddwyd ynnddi yn gyfrinachol ar gyfer defnydd yr unigolyn neu'r sefydliad cyfeiriwyd ati yn unig. Os ydych wedi derbyn yr e-bost yma mewn camgymeriad rhowch wybod i reolwr eich system. Nodwch taw unrhyw sylwadau neu farn soniwyd amdanynt yn yr e-bost yma ydi sylwadau a barn yr awdur ac nid yn angenrheidiol yn cynrychioli rhai'r Cyngor. I orffen, dylid y person sy'n derbyn yr e-bost sicrhau nad oes firws ynnddi nac mewn unrhyw ddogfen sydd ynghlwm i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddifrod achoswyd gan unrhyw firws trosglwyddwyd gan yr e-bost yma.'

From: mick@gn.apc.org
Sent: 27 April 2012 14:58
To: SEB mailbox
Subject: consultation response

Attachments: SEB response - Mick Green.doc

Please find attached my response to your consultation.

regards

Mick Green

Proposals for a single environment body

A response to consultation from Mick Green BSc, MA, CEnv, FIEEM.

I am an ecologist with over 20 year's experience of working in conservation and ecology in Wales. I have experience of working in Government, NGO and commercial fields and am involved in many on-going research and monitoring projects in Wales.

I am very concerned at the failure to meet the 2010 target to halt the decline of biodiversity and am witnessing at first hand the declines in many of the species I am working on monitoring.

I therefore welcome the proposal to develop a single, strong body to manage the Welsh environment. I believe there is merit in the overall proposal and feel that a properly integrated body will be able to help the Welsh Government move towards a sustainable future.

I do 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'. This does not reflect any ambition to help wildlife for its own sake, nor to work to reverse current declines which was the main driver behind the original 'Living Wales' proposals.

The new body should have a specific purpose to halt biodiversity losses and enhance Wales' biodiversity into the future. Whilst I 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.

In general the transfer of the functions of CCW, EAW and FCW into the new body is welcome. I am, however, 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.

I 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. I therefore think fisheries powers should be transferred 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.

I also believe that delivery of Agri-environment schemes should sit within the new body. The Green Paper on Sustaining a Living Wales 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. Agri – environment schemes have consistently failed. Further, if the Scheme was delivered by the new body it would strengthen its environmental credibility, rather than being seen just as a Agri scheme delivered by the agricultural department. Tir Gofal was successfully delivered by CCW in the past and I do not see that the transfer of Glastir would increase any risks for the new body.

I also welcome 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.

Finally, I welcome the commitment to ensure that the new body is properly funded both during the transition period and beyond.

Unless the new body is given a much stronger remit to reverse biodiversity declines it will fail and the Welsh Government will fail to meet its international commitments.

Mick Green BSc, MA, CEnv, FIEEM. Mick@gn.apc.org



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Our ref TB/NR
Name Terry Ballard
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27th April 2012

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

Dear Ms Moss,

This is a response to the above consultation on behalf of RWE’s UK businesses. This includes RWE npower, a vertical integrated generation and supply company and RWE npower renewables, part of Europe’s largest and fastest growing renewable generating company.

Our detailed comments are attached but we would like to draw your attention to the following key points:

It is our view that, subject to the relevant legal requirements, the proposed Single Body must focus on the delivery of ecosystem services to people and business in Wales, rather than on conservation as an end in itself. This implies a role that extends beyond that of purely reactive regulation and which includes facilitating and guiding the activities of others.

With this in mind, we propose that the aim of the Single Body is rephrased to put the emphasis clearly on the delivery of benefits from Wales’ natural resources i.e.:

‘To deliver benefit to the people and economy of Wales both now and in the long term through the maintenance, improvement, development and efficient sustainable use of Wales’ natural resources’

While we recognise that the development of the Single Body will be evolutionary rather than revolutionary, it is important that a culture of delivery is established from the outset. The existing cultures and approaches within the constituent bodies should not become institutionalised within the Single Body by default. For example a policy position that is opposed to development is not appropriate for the Single Body.

It is important that the consultee role is clarified during the formation of the Single Body particularly in relation to NSIPs. It should be made explicit that consultation with the Single Body will replace consultations with the Environment Agency, CCW and

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the Forestry Commission in relation to projects in or affecting Wales.

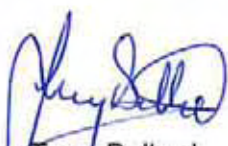
We have also raised two further points that are not covered in the consultation.

Firstly, the consultation does not make specific reference to the powers of the Single Body to charge for its services. We are opposed to the Single Body being granted additional powers to charge for undertaking any of its roles beyond the charging powers already granted to the predecessor bodies. We would be particularly opposed to the Single Body being able to charge in relation to its role as a consultee.

Finally, the establishment of the Single Body should enable the process for scrutinising proposals and consent applications to be simplified thus reducing cost and uncertainty for developers. It is therefore imperative that timescales are clearly prescribed and adhered to. This has not always been the case in the past.

If you wish to discuss any aspect of our response, please do not hesitate to contact me.

Yours sincerely



Terry Ballard

Policy and Public Affairs

Natural Resources Wales

RWE comments on proposal for a Single Environmental Body

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?

RWE welcomes the proposals in principle. We believe that by taking an overall view based on a properly defined ecosystem approach giving sufficient weight to economic, social and cultural as well as ecological and wider environmental factors, the single environmental body (hereinafter the "Single Body") will be able to make a substantial positive contribution to sustainable development in Wales. This applies especially to development management, working closely with local planning authorities and the expanded Planning Inspectorate (including the latter in its role as successor to the Infrastructure Planning Commission).

To achieve this will require the Welsh Government and the Single Body to develop an integrated policy position which balances economic, environmental (including ecological), cultural and social objectives. This in turn requires a culture change from the predecessor bodies (especially CCW). CCW has often appeared institutionally opposed to development, especially (but not only) in the case of onshore wind power. This sort of policy position is not compatible with the proposed role of the Single Body.

The focus of the Single Body (and its remit from the Welsh Government) needs to be on delivery of ecosystem services in both the short and the long term to people and businesses in Wales, rather than on conservation for its own sake. This is an active role, which will need to be discharged mainly by guiding, facilitating and regulating the activities of others, rather than a purely reactive regulatory role. The Single Body needs to facilitate the delivery of ecosystem services and their sustainable use by business and the community, while meeting the relevant specific legal requirements (such as those of the Habitats Directive).

A major challenge for the Single Body will be to get the balance of duties and priorities right so that compliance with narrow statutory duties (e.g. the protection of European Protected Species) is delivered without frustrating the achievement of the Single Body's wider ecosystem services delivery and sustainable development responsibilities. In this respect, the Single Body will need to allocate fair and appropriate resources to environmental (including ecological) research and protection, development case work and licence compliance work.

Q2. 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 critical to the success of the Single Body that it resolves internally any conflicts between policies and priorities of its constituent units and presents externally a single united position and co-ordinated responses to developers, planning authorities (including National Park authorities) and other stakeholders. This co-ordination is often lacking, even within Environment Agency Wales, at present. Officers of the new body liaising with developers and local authorities need to have the responsibility and the necessary discretion and authority to mediate in a timely manner between

conflicting requirements from its constituent parts, when contributing to development plans and responding to development proposals.

In addition to the concerns about potential conflicts of interest between the Single Body's operational and regulatory roles, we have concerns about the potential conflict between its roles as a regulator and as a landed proprietor of the Welsh forest estate.

In particular, it is RWE's view that FCW's Wind Energy Programme (WEP) should ideally be kept outside the Single Body and be managed by the Welsh Government (who are in effect landowner and beneficiary of revenue should wind farms be built on the Welsh forest estate). This would eliminate, or at least move to an 'arm's length position' the potential for conflicts of interest between the roles of landowner and environmental regulator. Should the WEP be separated from the regulatory functions of the three predecessor bodies, we would expect to see as a consequence a more 'directive' approach to the Single Body to facilitate wind farm development on the forest estate on the part of the Welsh Government and a commensurate reduction in bureaucracy.

In this context we welcome the proposal to allocate dedicated policy resources to forestry within the Welsh Government. We would suggest that the role of "proprietor" setting policy for the Welsh forest estate, as distinct from the role of "operational manager" of that estate, should reside with the Welsh Government itself.

Q3. *What are your views on this phased approach? How could we improve on it?*

The phased approach is a practical way forward given the timescales required for the legislative and other changes needed to give full effect to "Sustaining a Living Wales".

The Single Body is being set up before the ecosystem approach foreshadowed in "Sustaining a Living Wales" is fully incorporated in legislation and Welsh Government policy. However the key role of the Single Body, beyond the very short term, will be to interpret and implement that approach, balancing competing calls on ecosystem resources. In these circumstances, it is critical that an institutional culture of delivery and facilitating delivery of ecosystem services to its customers (i.e. businesses, local communities and the general public) is established in the Single Body from the outset. Strong and decisive leadership of the Single Body and consistent policy direction and guidance from the Welsh Government will be essential to establish this culture in the Single Body from the start.

The existing approaches and cultures within the individual constituent bodies are not entirely appropriate for the intended role of the Single Body. They should not be allowed to become institutionalised in the Single Body by default, during the interim period before the new policy and legislative frameworks governing its functions are in place.

There remains considerable doubt and scope for debate about what is meant by an "ecosystem approach". Simply because of its name, it is apt to be interpreted as meaning that priority is to be given to the protection of natural habitats and species to the exclusion of all other requirements. It needs to be clearly understood that this approach includes facilitating sustainable economic development and the sustainable use of natural resources. In this regard we would specifically ask that in Section 4.1

of the consultation document, the reference to “developing our natural assets” should include renewable energy, which Wales has in abundance.

Q4. Do these proposals provide a good basis for the principal aim and strategic outcomes of the body? How could they be improved?

As noted in our response to Question 1 above, we believe that the Single Body should focus on delivery and facilitating delivery of ecosystem services both now and in the long term. The conservation of ecosystems *per se* should be viewed as an important means to that end, rather than as the over-riding end in itself. We therefore suggest that the proposed aim of the Single Body should be re-phrased as follows to put the focus clearly on the delivery of benefits from Wales’ natural resources:

“To deliver benefit to the people and economy of Wales both now and in the long term through the maintenance, improvement, development and efficient sustainable use of Wales’ natural resources.”

We feel that the stated strategic outcomes give insufficient weight to economic benefits and the sustainability of local communities, whether in urban or rural settings. We would therefore suggest splitting outcome (1) into the following:

(1a) Contribute to the economic viability of Wales as a whole and of the communities within Wales;

(1b) Contribute to protecting public safety and promoting: public health, social and environmental well-being, and outdoor recreation.

Outcome (4) should positively encourage sustainable beneficial use of natural resources, especially genuinely renewable resources.

Outcome (5) could be construed as seeking only to mitigate and adapt to the effects of climate change. It should make clear that the Single Body should contribute to minimising the emissions causing climate change. Minimising such emissions generally would help mitigate the pressures on habitats and species brought about by accelerated climate change, although such mitigation can not be achieved by action in Wales alone. Emissions contributing to climate change must be minimised without compromising outcome (1a).

Q5. What are your views on the approach to the delivery framework?

We strongly support the mechanisms set out in Section 4.5, especially the Annual Remit Letter and the detailed Financial Memorandum. There should be processes to scrutinise the Single Body’s behaviour and performance in line with these mechanisms. This would be an appropriate role for a committee of the Assembly, but any such committee would need to have the supporting resources to carry out reviews and investigations at all levels of the Single Body’s activities.

There should also be a process allowing the Single Body’s customers (in the widest sense of the term) to challenge behaviour or performance (or lack of performance) which appears to be inconsistent with the Single Body’s remit. This mechanism should preferably provide for such challenges to be referred to an independent ombudsman. Any such process should be primarily to deal with situations where the Single Body appears to be failing to implement its remit, including in its operational capacities and as a landed proprietor. It should not provide a route for applicants or third parties to challenge specific licensing or consent decisions of the Single Body,

for which statutory processes for appeal to the Welsh Ministers should remain, or be established where they do not already exist.

Q6. Are the functions described in Tables 1 to 3 a reasonable summary of those required? How could they be improved?

There is some overlap and some inconsistency in the way areas of work are described and associated examples are expressed in Table 1. In particular the phrase "Environmental Permitting Regulations" includes several other items such as discharge consents. This could be rationalised.

Liaison with local planning authorities will be a very important means by which the Single Body can discharge its remit. In Table 1 this appears almost incidentally under several headings to which it is relevant, but only incidentally in each case (e.g. reducing the effect of pollution etc., climate change mitigation and adaptation, conservation etc. of ecosystems, conservation etc. of landscapes etc., among others). **Input to town and country planning** and development management should be viewed as a function of the Single Body in its own right. It should be made clear that the Single Body has a role in providing advice and input to both the development planning and development management processes. In the latter case it needs to include providing coordinated advice and input to prospective developers as well as to local authorities, and this needs to be made absolutely clear.

There is a mention of the Infrastructure Planning Commission (now subsumed in the expanded Planning Inspectorate) in Table 1 as a body to which the Single Body will provide advice. However there is no explicit indication of the effect of the establishment of the Single Body on the consultation arrangements for Nationally Significant Infrastructure Projects under the Planning Act 2008. Logically, consultation with the Single Body should replace consultations with the Environment Agency, CCW and the Forestry Commission in relation to projects in or affecting Wales, and we would support this approach.

It must also be clear that the Single Body will be the appropriate nature conservation body, in relation to Wales, within the meaning of the Conservation of Habitats and Species Regulations 2010 (as amended). The effect on the consultation arrangements for cross-border projects and projects in either England or Wales having cross-border effects does however need to be fully thought through and defined. We would request the opportunity to comment on proposals for these and other cross-border arrangements which are not yet fully defined.

There is no mention of Forestry Commission Wales' Wind Energy Programme, neither is there any mention of the role of the Single Body in delivering UK and Welsh Government energy policies. Both of these should be included.

Under "Climate Change Mitigation and Adaptation", "Renewable Energy Programmes" are mentioned. The Single Body should not normally develop and operate renewable energy projects such as wind farms and hydro schemes on its own account, but should facilitate their delivery by the market and work with the market to develop renewable energy opportunities on Welsh Government land including the Welsh forest estate.

Q7. 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?

RWE supports the transfer of the Welsh Government's marine licensing functions to the Single Body, with appellate functions remaining with the Welsh Ministers. If possible, the existing recently established Marine Consents Unit should be transferred as a whole to the new body; it is important not to disrupt its functioning or lose the experience and expertise it has gained so far, often with the direct assistance of applicants.

With regard to wildlife licensing generally, we have no objection to the proposal to concentrate these functions in the Single Body. The present division of responsibilities is both unnecessary and confusing.

In the special case of badger licensing, we would support the concentration of this function in either the Welsh Government or the Single Body: it should not continue to be divided.

We would support the abolition of all Internal Drainage Boards in Wales and the transfer of their functions to the Single Body. This should significantly simplify obtaining the necessary consents for works such as cable routes or gas pipelines which may need to pass through an IDB area and whose construction may affect watercourses in that area.

Q8. Do you agree with the proposals for co-ordination of Welsh Government investment in environmental research? How could we improve them?

It is important that maximum benefit is obtained from all investment in environmental research and to this end continued co-operation between the relevant Government departments and agencies in all parts of the UK, including the Single Body, is essential to avoid duplication of effort.

We note with some concern that it is a "key priority for the Welsh Government" for the Single Body to take the opportunity to gather evidence of environmental issues on the ground in Wales to inform interventions. While we support the principle of gathering and recording environmental data, it has been our experience that developers of major projects are frequently expected to undertake (and pay for) very extensive environmental surveys, whether by way of baseline surveys to inform environmental impact assessment, or ongoing environmental monitoring. It is developers' perception that these surveys, especially those required by CCW and those for offshore projects, have been required as much to advance underlying environmental knowledge as for the purposes of the particular project. The provision of this survey data therefore often amounts to what would be described, in a town and country planning context, as "planning gain". The Single Body should not seek or be encouraged to seek to use conditions of licences, permits or planning permissions in this way, unless it is strictly necessary to confirm the predictions of an Environmental Statement or to resolve a specific scientific uncertainty directly relevant to the project. Requirements for environmental monitoring should be limited to those which are reasonably necessary for the purposes of the particular development(s) in question, including for the purposes of effective enforcement of consent conditions.

In areas of particular environmental sensitivity, especially where there are several industrial activities in close proximity to one another that are required to undertake

background environmental monitoring as a condition of their permits, there may be an advantage in setting up a local non-statutory joint group to co-ordinate environmental monitoring between the Single Body, local authorities, industry and possibly other local stakeholders. This would allow environmental monitoring activities to be co-ordinated, and the results to be pooled among the group's members. A group of this type (the Milford Haven Waterway Environmental Surveillance Group) already covers the Milford Haven waterway. A group along these lines might provide a suitable model for some other areas (not necessarily coastal) where industrial and ecological interests interact. The Single Body should consider promoting the establishment of such arrangements where they are deemed appropriate.

Q9. 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 support these arrangements and in addition would like to see the suggestions included in our response to Q5 above implemented.

Q10. 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 agree that over-prescriptive and inflexible statutory local and /or special purpose committee arrangements are best avoided. However local engagement by the Single Body will be essential. Any local committees which are established should include representatives of businesses in the locality concerned.

The Single Body should take advantage of, and participate in, existing established non-statutory local co-ordination and consultation arrangements, where these are relevant to its work. This should include any local or community liaison committees at major industrial establishments such as RWE npower's power stations at Aberthaw and Pembroke.

Please also refer to comments made under Q8 above about establishing local non-statutory joint groups to co-ordinate environmental monitoring between the Single Body, local authorities and industrial interests where appropriate, on the model of the Milford Haven Waterway Environmental Surveillance Group.

Q11. What are your views on these aspects of the regulatory arrangements?

We believe that the constituent bodies are currently too fragmented: even within individual bodies different specialist groups tend to act in isolation. The present arrangements would be unlikely to meet the aspirations of the last paragraph of section 6.6.3. Too often responses from the Environment Agency Wales (for example) to planning applications or consultations on proposed developments comprise a disparate set of specific, but unconnected and sometimes mutually contradictory requirements and requests. In some CCW responses it is not clear which points reflect serious concerns and which do not (and which hitherto unrecorded or spurious considerations cause "scope creep").

It is critical that the decisions of the Single Body itself, and its inputs to the determination of planning permissions and other consents granted by local authorities and other agencies, are transparent and demonstrate objective and evidence-based decision making. Where there is genuine scientific uncertainty, the

Single Body should address this reasonably and pro-actively using a risk-based approach. This is particularly relevant to assessments under the Conservation of Habitats and Species Regulations, where there can be very tenuous links to potential impacts on species, or concerns about impacts on Natura 2000 sites which are clearly marginal to the assessment due to distance from the proposed development.

We strongly support the concept of a Decision Document, but this should not become so lengthy and detailed that its preparation itself becomes a bureaucratic barrier to timely determination of applications. A similar document explaining the Single Body's reasons for its views, should also be provided in response to consultations from local planning authorities on planning applications etc., except in the most trivial of cases. This is especially important where the Single Body objects to a planning application, where it would also be helpful to all parties if the Single Body would indicate which of its points it would defend in the event of an appeal or a call-in (including at a public inquiry if necessary) and which it would not.

Points of concern to RWE not coming within any specific consultation question

Powers to make Charges

The consultation document makes no specific reference to the powers of the Single Body to charge for its services. We have a concern that the Single Body might have more general powers to make charges than the predecessor bodies do at present. We wish to see confirmation that the principle of not conferring additional powers on the Single Body at the outset will extend also to its ability to charge for its services.

We would be absolutely opposed to the Single Body being able to charge for undertaking any of its roles as a consultee, including but not limited to those arising out of the Planning Act 2008 in relation to Nationally Significant Infrastructure Projects. We would also be absolutely opposed to the Single Body being able to charge for pre-application meetings or advice beyond the extent to which the predecessor bodies are already empowered to do so.

Charging for consultations and pre-application advice, including meetings, places an administrative burden upon business which increases the cost to business of the imposition of charges far beyond the amounts of the charges themselves. In the case of the Single Body it would also inhibit and delay engagement between the Single Body and the business community in relation to new developments. This would be very inimical to the achievement of the purposes of the Single Body as we see them (see responses to Questions 4 and 6 above) given the importance of the Single Body's co-ordination role.

The importance of timely decision making

The establishment of the Single Body offers the opportunity to simplify the process for scrutinising proposals and determining a variety of consent applications for the implementation and, where relevant, the operation of a wide range of proposed developments. This offers the opportunity for reductions in cost, delay and uncertainty of outcome which should substantially benefit developers and increase the attractiveness of Wales as a location for investment, with consequent benefits to the Welsh economy, without any detriment to the environment or to the quality of decision making.

These benefits will not be realised if appropriate reasonable timescales for the consideration and analysis of projects, consultation responses and determination of consent and permit applications generally by the Single Body are not clearly prescribed and adhered to. In the case of major applications this applies as much to each of the main stages of the determination process as to the final decision. Current experience is that where there are statutory timescales laid down, they are frequently not adhered to.

A key part of the focus of the Single Body must be on delivery, particularly in relation to the Single Body's input to consent processes to the prescribed timescales. Where additional time is genuinely needed, this should be agreed with the developer and other interested parties at the outset and adhered to thereafter.

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

Sent: 27 April 2012 16:45

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:

Becky Hulme

Organisation (if applicable):

Tir Coed

Email / telephone number:

becky@tircoed.org.uk / 01570 493224

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?:

Tir Coed supports the single Body's ecosystem approach and applauds the proposed holistic overview of the Welsh environment; it is hoped that the new approach will bring a halt to contradictory land use policies from different departments. Tir Coed's overriding concern is to ensure the successful delivery of social & community outputs, including Woodlands for Wales by the Single Body. To achieve this Forestry must have a definite identity in the new body and all stakeholders must be able to understand clearly how the woodland strategy will be delivered. Where existing structures work well they should not be broken up.

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?:

Tir Coed would like to see more emphasis on uses of the Welsh environment which have social and community benefits, particularly on community use and management of natural resources. Currently, both FCW and CCW manage Wales's natural resources on behalf of the people of Wales; "to increase their value to society and the environment" (FCW) "as a foundation for economic and social activity, and as a place for leisure and learning opportunities." (CCW). Tir Coed is concerned that the document gives very little mention of the social duties of the Single Body (e.g. community participation, education, training, jobs) and that where a social function is mentioned, there are no specific outputs or outcomes attached to a social remit. There is no mention of the use of the natural environment as a place to learn in as well as to learn about. Tir Coed would like to see the Single Body adopting and implementing all the objectives of Woodlands for Wales, in particular, chapters 4 "Woodlands for People" (social aspects) and chapter 5 "A Competitive and Integrated Forest

Sector” (economic aspects). Tables 1 and 5 of the consultation document add to our concerns. The document frequently refers to the maintenance and conservation of Wales’s natural resources, but there is very little reference to future development, which is essential if those consulted are to be properly informed.

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

No comment to make.

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

Strategic outcome number 1 does pertain to promoting economic, environmental and social well-being, but also refers to public health and outdoor recreation. Tir Coed feels that this outcome is too diverse and therefore needs to be broken down into sections, so that the social and wellbeing aspects do not get overlooked. Delivery of Woodlands for Wales should be an explicit strategic outcome.

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

Table 5 virtually ignores the social dimensions in its list of outcomes, objectives, success criteria and indicators; these are a vital part of Woodlands for Wales e.g. community participation, education, training, jobs. The focus of the table is unbalanced by concentrating overwhelmingly on environmental factors. Again, public health & safety is in the same statement as wellbeing; this is inappropriate as although these outcomes may overlap at times, they represent 2 separate functions. Table 5 is difficult to understand; it needs to be clearly laid out so that themes can be followed through to outcomes.

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

Other than public access, virtually no mention is made of public and community engagement, education and training roles of the Single Body; these need to be explicit. Tir Coed would like to see all the deliverables in Woodlands for Wales clearly stated. Also, a matrix showing interaction between existing organisations would be more informative.

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 to make.

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 to make.

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 to make.

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 cannot see where details of the new stakeholder arrangements are given. Tir Coed asks that a list of stakeholders is produced to make sure that the full range of organisations is included. Social objectives are an essential part of sustainable development, therefore, stakeholder groups must include representatives from education and training organisations, community groups and the voluntary sector. That list may help to inform the stakeholder arrangements. We are concerned about how delivery of the SB's responsibilities will be monitored, in particular, those set out in Woodlands for Wales.

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

No comment to make.

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

No comment to make.

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

Sent: 27 April 2012 23:50

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:

Antony Wallis

Organisation (if applicable):

Forestry Commission Wales

Email / telephone number:

antonytricia@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?:

I agree that the regulatory and statutory consultation role of all 3 bodies should be brought together. However, the land management and business element, particularly of FCW should be kept separate. There are clear tensions between these roles and even if they were to be chinese walls between the elements, the perception would not be so. Indeed I doubt that there could be effective separation. The business community which has confidence in the way FCW manages and facilitates its forestry and non forestry business elements is likely to be severely compromised. The tensions between the elements in the new body may well become untenable.

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 seems clear that business is unconvinced that the measures proposed will allay their concerns, with increased regulation and environmental pressure on business.

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

Yes, a phased approach is essential to ensure that there is business continuity at day 1.

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 sound laudable, but could be interpreted as meaning all things to all 'men'. I agree with the aim of sustainability, but there is insufficient focus on the economy and jobs, which was the key message in last Christmas FM message. The likely interpretation will be to prioritise on environment, which should not be the intention. There should be a much greater emphasis on 'balance'.

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

Generally fine, but very environmentally weighted. I do not think the economic imperative is given equal prominence.

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

Generally covers key points but no prioritisation. Whilst renewable energy programmes are recognised, there is no mention of the use of other natural resources on the SB estate which supports jobs and the economy - eg coal, methane gas, stone, other non forestry development opportunities. The risk is that the table tries to list everything without real focus on priorities

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?:

This is a complex area. Whatever the solution, there must be no increased risk from greater devolution of the GB responsibilities

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?:

I consider that the regulatory, advisory and statutory consultee roles should be arms length from government. However, the delivery of business, community and environmental benefits should not be arms length. There have been clear benefits for WG in being able to directly require FCW to use the WG woodland estate to deliver its policies and objectives. In my view this has been a beneficial relationship, close to government with FCW's director sitting as a divisional director within a WG department. I can see no benefit in the management being armslength from government, indeed i think it should be closer, but all regulatory and advisory functions should be independent of government.

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?:

Agree

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

Agree

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

The business case seems to have been developed to focus on the objective of a single body. There is insufficient realism on the costs of this option and also that a shared services or greater collaborative approach could deliver most of the financial benefits without the costs. It is clear already that it will take years to achieve an integrated body and there are already significant numbers of staff working full-time on the SB and many others having to feed in substantially, compromising on the day job. I do believe that there are clear benefits in regulation, advisory and statutory consultee roles should be at arms length, whereas business should be closer to WG. There is no obvious benefit in bringing FCW's management element into a SB.

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

Sent: 28 April 2012 08:50

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(Unchecked)

Your name:

Gerwyn Thomas

Organisation (if applicable):

Teifi Timber Products Ltd

Email / telephone number:

gerwyn@teifi timber.co.uk

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

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?:

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?:

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 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 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. 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:

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Sent: 28 April 2012 08:55

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Subject: SEB Consultation online form

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(Unchecked)

Your name:

Anwen Lloyd-Thomas

Organisation (if applicable):

Teifi Timber Products Ltd

Email / telephone number:

anwen@teifitimber.co.uk/01559395325

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.

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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 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 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. 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:

Response to Consultation on Natural Resources Wales by Woodland Strategy Advisory Panel.

Your name

Roger Cooper

Organisation

Woodland Strategy Advisory Panel

Email / telephone number :

roger.cooper@padrig.myzen.co.uk

tel 01248 852409

Introduction

The Woodland Strategy Advisory Panel's remit is to advise Forestry Commission Wales and the Welsh government on the nation's strategy for its woodlands. The panel has 23 members from across Wales and all of us are actively involved in Welsh forestry. Our expertise spans commercial, environmental, social and scientific aspects of forestry and our working experience includes private industry, woodland management, farming, voluntary organisations, public sector agencies, educational institutions and social enterprises. Both Forestry Commissioners for Wales are members. Details of the panel's membership and terms of reference are given in the appendix.

Over the past five years we have played a central role in drawing up the government's 50 year woodland strategy, *Woodlands for Wales*, the follow-up 5 year *Action Plan* and the set of *Indicators* for monitoring progress. We believe the breadth of experience we have brought to these tasks has been crucial in gaining widespread support for the strategy by the many stakeholders in Wales's woodlands.

We welcome the opportunity to comment on the government's two consultations: *Natural Resources Wales* and *Living Wales*. We met on 21st and 22nd March to discuss both papers. This response to *Natural Resources Wales* is based on our discussions and is supported by all Panel members. The response mainly focuses on the questions posed in the document but before addressing these we wish to emphasise three general points.

First, we recognise the government's intention to form a Single Body (SB) incorporating Forestry Commission Wales. Our response neither takes issue with this decision, nor implicitly supports it, but is intended to help to make the body an effective organisation.

Second, we endorse and continue to support the Welsh government's long term vision for Welsh woodlands set out in *Woodlands for Wales*. Its four themes- Responding to Climate Change, Woodlands for People, a Competitive and Integrated Forest Sector, Environmental Quality, which all support the strategic aims for Welsh woodlands exemplify the

principles of *Living Wales*. We believe this strategy and its Action Plan must be at the core of the SB's future direction of our woodlands.

Third, our overriding wish is to see Welsh woodlands and the woodland sector flourish under the new body and for our woodlands to provide the wide range of benefits they are capable of delivering.

All our responses to the specific questions are directed to these ends.

The rest of our response addresses the eleven questions posed in the consultation with one additional comment on policy in question 12

Consultation questions

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?

Our overriding concern is to ensure successful delivery of *Woodlands for Wales* by the SB. To achieve this:

- (i) Forestry must have a definite identity in the new body and all stakeholders must be able to understand clearly how the woodland strategy will be delivered.
- (ii) It is important for the SB to recognise that integration must be carefully planned. In some areas there will be synergies between the functions of the three bodies which will offer clear benefits. For example, the management of 14% of the land area of Wales for forestry has a crucial role in helping deliver good ecological status. Similarly many of the challenges currently faced by the CCW and the EAW can be met by planting trees in the right places. In other areas such as some field operations (e.g. some forestry operations) potential gains are unlikely and in these cases where existing structures work well they should not be broken up.

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 document gives broad assurances of the directives to be given to the SB for forestry but no mention is made of *Woodlands for Wales* which we stress again must be central to the SB's responsibilities. Specifically we emphasise:

- (i) the need for the SB to adopt and implement **all** the objectives of *Woodlands for Wales* as specified in the "to get there we shall" commitments of the strategy. Members expressed particular concern over what priority the SB would give to the commitments made in chapters 4 "Woodlands for People" (social aspects) and chapter 5 "A Competitive and Integrated Forest Sector" (economic aspects). Table 1 and annex 5 do little

to allay these concerns.

- (ii) Effective delivery by the SB will be seriously compromised because responsibility for land-based activities, particularly agriculture, and also support mechanisms e.g. Glastir lie outside the remit of the new body (see comments on policy in Q12.)
- (iii) Effective delivery of the SB's functions in the private sector will depend on policy instruments it has available. For example, what mechanisms will the SB have to encourage provision of eco-system services from privately owned woodlands? (see comments on policy in Q12.)

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

We consider:

- (i) There is an urgent need to appoint a chairperson and CEO with experience in the rural sector
- (ii) For staff, the process needs to be smooth and rapid to minimise uncertainty.
- (iii) The priority should be first to establish the organisation and then the delivery plan.
- (iv) The delivery framework needs to be flexible.

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) Delivery of *Woodlands for Wales* should be an explicit strategic outcome
- (ii) Number 1 is a muddled mix of the general (promoting economic, environmental and social well-being) and the more specific, public health and outdoor recreation

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

Our comments focus on delivery of *Woodlands for Wales*

- (i) Annex 5 should be an important way of showing how the woodland strategy will be embedded in the SB but it fails to do this.
- (ii) It virtually ignores the social dimensions in its list of outcomes, objectives, success criteria and indicators. These are a vital part of *Woodlands for Wales* e.g. community participation, education, training, jobs. The focus of

the table is unbalanced by concentrating overwhelmingly on environmental factors

- (iii) It does not communicate the varied interests across the table in clear understandable language. E.g. there is no correspondence from Objectives (Col 2) to Indicators (Col 4).

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

It is difficult to comment as table 1 says the examples are illustrative.

- (i) We would like to see all the deliverables in *Woodlands for Wales* clearly stated. For example in the context of Woodlands for People virtually no mention is made of public and community engagement, education and training roles of the SB. These need to be explicit.
- (ii) It needs a different framework of how the functions would look post merger. A matrix showing interaction between existing organisations would be more informative.

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?

Discussions focused on tree and plant health.

- (i) The document states there is an opportunity to rationalise current tree and plant health arrangements. However there appears to be a mismatch between this aspiration and the proposed arrangement which leaves plant health with the WG and moves tree health to the new body.
- (ii) There is a risk that DEFRA funding for tree/plant health e.g. timber inspections at ports and forestry research will change and that Wales will be charged for these services.

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

Discussions focused on forestry research.

- (i) The proposals were considered to lack clarity.
- (ii) The assumption that DEFRA will continue funding FR may be misplaced.
- (iii) Welsh forestry derives many benefits from FCW's participation in the commissioning of research by FCGB and also through its access to Forest Research's outputs and scientific expertise e.g. measures to

combat tree diseases. Forest Research is also heavily involved in implementing the *Woodlands for Wales Action Plan*. It is therefore vital that existing links are maintained.

- (vi) The qualifications of the Wales Environmental Research Hub to co-ordinate research for the new body are not explained and doubts were raised by some members about its forestry 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?

Discussions focused on governance of the new body.

- (i) The document states “the board would be independent of Welsh Government in the decisions and delivery of its work” (para 6.1)
We question whether this will be possible given that policy decisions, rural support mechanisms e.g. Glastir, and the research commissioning framework will all be government responsibilities. (See comments on policy under Q 12.)
- (ii) Members are concerned that the document gives no details of the SB’s operating procedures. It will need for example a 3-5 year corporate plan and a trading arm for timber sales and other commercial activities.
- (iii) The published accounts must be sufficiently detailed for effective monitoring by stakeholders. For example major sources of income and items of expenditure must be identifiable e.g. income from timber sales and other commercial activities must be separately identified.

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) No details on new arrangements for the SB are given. We consider strong stakeholder involvement is essential for the SB’s success.
- (ii) WSAP provides a possible model for an effective stakeholder body. The appendix lists our responsibilities, chief of which is to monitor progress with *Woodlands for Wales*
- (iii) The breadth of the SB should rule out one panel covering all responsibilities and careful thought is needed to provide an effective, efficient advisory arm. We consider one stakeholder group covering all functions of the SB would greatly weaken current forestry consultation.
- (iv) In delivering *Woodlands for Wales* there are many partnerships both at an all-Wales level and locally. These must be continued in the SB for effective delivery of the strategy.

- (v) WSAP has a disputes resolution role e.g. for felling licences/illegal felling. Which body will handle these?

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

Discussion focused on self-permitting.

- (i) We agreed that there needs to be transparency in the separation of self-permitting and operational activities within the new body.
- (ii) In establishing the SB the possibility of self-permitting by the private sector should be considered.

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

Comment on Policy para 5.3.1

Members expressed reservations about the proposed transfer of forestry policy formulation to the Welsh Government.

- (i) We consider that the SB will lack focus if it has no responsibility for policy. In particular the SB needs to be involved in policy formulation and delivery of agri-environmental schemes. If policy responsibility lies solely with the government this may well lead to tensions between the SB and the government.
- (ii) Those involved in forestry policy formulation in the Welsh government must be professionals with a full understanding of forestry related matters.
- (iii) Who would be responsible for monitoring progress with *Woodlands for Wales*? Currently this is a WSAP responsibility. We believe monitoring must be conducted independently of government (see comments on Q10 above)
- (iv) The SB must have inputs to the drafting of the proposed bills on the Environment, Planning and Sustainable Development

We would welcome the opportunity to expand on any points we have raised.

Roger Cooper
Chair, WSAP
28th April 2012

Appendix
WSAP Members and Terms of Reference

1 Members

Nigel Ajax Lewis MBE	Senior Conservation Officer for Wildlife Trust for South and South East Wales
Roger Cooper (Chair)	Bangor University (retired)
Dr John Edington	Tutor on environmental issues, Cardiff University
David Edwards	District Manager, Tilhill Forestry
Helena Fox	Consultant in Education and Sustainable Development
Rory Francis	Woodland Trust, Wales
Dr Alun Gee	Executive Manager, Environment Agency (Retired)
Sue Gittins	Deputy Director, Ramblers' Association Wales (retired)
David Jenkins OBE	Director, Coed Cymru
Tim Kirk	Chairman, CONFOR, Wales
Bernard Llewellyn	Farmer and chairman of NFU Cymru Rural Affairs Board
John Lloyd Jones OBE	Farmer/land owner. Member of FCW National Committee
Kath McNulty	Manager, CONFOR, Wales
Philippe Morgan	Forest Manager and Consultant
Jon Owen-Jones	Forestry Commissioner, Wales
Prof Colin Price	Free-lance academic
Harry Stevens	BSW Ltd
Celia Thomas	Farmer and Woodlands Officer, Pembrokeshire National Park
Dr Bob Vaughan	Environment Agency Wales
Judith Webb	Forestry Commissioner, Wales
Dr Jenny Wong	Director, Wild Resources Ltd, Honorary Lecturer Bangor University
Mike Wood	Policy Officer, RSPB

2 WSAP Terms of Reference

- Advising on the implementation of the [Wales Woodland Strategy](#) by all partner organisations based on a thorough understanding of current activity and policies.
 - Advising on specific issues that the [National Committee](#) assign to the Panel.
 - Horizon scanning to enable the Strategy (and FC Wales as the government department responsible for forestry policy development and the organisation with the primary responsibility for strategy delivery) to respond to new issues and agendas.
-

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

Sent: 28 April 2012 09:10

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Subject: SEB Consultation online form

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(Unchecked)

Your name:

Anwen Lloyd-Thomas

Organisation (if applicable):

T L Thomas & Son

Email / telephone number:

anwen@tlthomas.co.uk/01559395325

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

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?:

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.

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

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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.

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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?:

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?:

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that adequate resources are provided for this very important function.

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 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.

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.

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

Sent: 28 April 2012 09:05

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:

Gerwyn Thomas

Organisation (if applicable):

T L Thomas & Son

Email / telephone number:

gerwyn@tlthomas.co.uk/01559395325

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

Denbigh and Clwyd Angling Club
Clwb Genweirio Dinbych a Chlwyd



Patron - Dr J Gwyn Thomas

President - Syd Badland, MBE

Y Fron,
Abbey Road,
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- Blythin2@aol.com
28th April 2012

Welsh Government - Consultation Document ,
Natural Resources Wales - Number WG 14766.

Carrie Moss, (John Griffiths AM, Minister for Environment and Sustainable Development) Living Wales Programme Team,
Dept., for Environment and Sustainable Development,
Welsh Government, Cathays Park CF10 3NQ.

Dear Ms Moss,

This is the response to the document (detailed above) from the Denbigh and Clwyd Angling Club (the Club) in Denbighshire.

I am Chairman of the Club and have compiled this response after consultation with the Club Committee.

We (the Club) were very disappointed not to have received this document directly but due to the diligence of a Committee Member we did fortunately get it, albeit, belatedly.

The Club represents some 200 anglers in the Vale of Clwyd, all of whom have views concerning changes/developments that directly concern them and the natural environment. Where is the element of 'chwarae teg' such an important feature of Welsh life, culture and politics? How do we get a chance to air our views?

Whereas I can understand that a small Club **in the North** can be overlooked, I find it very worrying that the Clwyd Federation of Angling Clubs (the Fed) has also been left off the mailing list! Neither, so far as we are

aware, has it cropped-up at at the Local Fishery Advisory Group (LFACs) meetings. Are we (the Club, the Fed and the LFAG) likely, therefore, to receive a copy of the forthcoming 'Sustainable Development Bill' due later this year? (1.2)

Surely the purpose and ultimately the strength of any consultation process is to engage as many interested parties (the stake-holders) as possible to ensure realistic and achievable outcomes to benefit, both, them and the public at large. Who knows, even the three bodies EAWales, FCWales and CCW and any new Single Body will benefit too?

The language and terminology used in the Consultation Document is often difficult to understand, to the point that objectives and - more importantly perhaps - the methodology of change is unclear. How, for example, are experts appointed. Presumably there will, also, be the inclusion of lay-people onto consulting and oversight committees?

We were particularly interested in the section (1.4) relating to legal and governance issues (bullet points 2 and 4). Hopefully there will be an even-handed approach to *stakeholder engagement*. According to Welsh Government research angling, as part of the tourism sector, generates a huge income (approximately £100m per annum according to Welsh Government/Tourism figures!) for the economy of Wales and we would, rightly, expect this to be reflected in the priorities of a single body.

In fact, according to the press, tourism in Wales (so called *staycation*) has increased recently and the figure, above, should also increase, particularly with the advertising campaign in the press and on television.

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 were immediately alerted to the second paragraph of the Foreword (p1) which suggests that the primary concern is to reduce costs. Rarely does this approach produce any benefit to the end-user.

Sections 2.2.1 and 2.2.2 set out an approach to the single body's rationale and its decision-making etc. for Wales, but what about localism? Will the needs of an area or region be overlooked? In our case we have three river catchments within a small geographic area (the Rivers Dee, Clwyd and Conwy) which are entirely different in nature and require differing management techniques. How will a large, bureaucratic organisation deal with these separate needs equitably? Will our small Angling Club continue to be overlooked?

Fewer meetings, simpler/quicker application processes sounds fine as an approach and as a plan on paper. Rarely, however, are realistic solutions

so easily achieved. 'One size fits all' isn't, perhaps, the panacea it would seem to be. A Welsh framework would not, necessarily, suit the little River Clwyd and its catchment area.

In Section 2.4 (p11) bullet point 2, you state that a close working relationship with EA England and the UK Government would be maintained so as to continue with common standards of good practice etc. In many ways this is to be applauded providing, of course, that the argument outlined in the previous paragraph is not applied ie 'one size fits all'.

Also that EAWales should not be driven by the grand plans and dogma of EAEngland, much less the whims of Whitehall mandarins.

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?

"Wales is open for business" (2.4 bullet point 2) is a laudable concept, but once again we must be sure that checks and balances are in place so that an entrepreneurs charter does not manifest itself to the detriment of environmental issues, local traditions and the individual nature of our rivers and their catchments, rural industries and quality of life.

Income generation should be a driving factor of course but we would expect this to be ploughed back into environmental projects in order to maintain an important 'edge' to Wales as a refuge for sustainable development and tourism etc.

There must be, for the single environmental body, institutions such as the Local Fisheries Advisory Groups (LFACs) for all the elements of the three present bodies. Accountability at a local level must be a keystone of any new body.

The inclusion, again, of interested parties with lay people is an important feature of equanimity and transparency.

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

In principle a phased approach is seen as a common-sense approach and we would support it.

However, subsequent changes may not receive the same consultative process as this has done. We would want to see that either, consultation processes be adopted as and when 'new functions' are needed or that the checks and balances such as the EAW's LFAG (LFACs) system as consultative bodies utilised in order to oversee 'new functions'. These should also apply

to Consequential Amendments (3.4).

The inclusion, again, of interested parties with lay people is an important feature of equanimity and transparency.

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 would, wholeheartedly, support the aim of the new body, "To maintain, improve and develop Wales' natural resources, to deliver benefit to the people and economy of Wales now and into the future."

Would, for example, water quality and enforcement issues be priority areas for consideration by the new body?

We would also support the strategic outcomes 1 - 5 (Section 4.4 page 18). Also, as mentioned (in the final paragraph page 18), we would expect to be fully involved in the 'consultation' prior to the Sustainable Development Bill.

We would, however, also expect to be involved, in some measure, to take a role in the effort to establish the new body as an 'independent respected and professional body' as outlined on p17 Section 4.3.

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

Would a small fishing club in North Wales have the chance to have an input into the formation of the 'Annual Remit letter' as mentioned on p19 Section 4.5? We would expect to be fully involved.

The inclusion, again, of interested parties with lay people is an important feature of equanimity and transparency.

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

Table 1, page 40, mentions 'Grant aid to Local Authorities and local community groups.' As a fishing club we would welcome guidance as to whether, or not, we would qualify as a local community group.

Also, on p42 there is much made of angling and use of water resources which is encouraging. However we would welcome consultation on these matters as a Club and as active members of the LFAG, the Clwyd and Conwy Rivers' Trust and the Federation of Clwyd Angling Clubs. We have, as members of all these groups, a good working relationship with the

Environment Agency Wales and would look to maintaining and extending this relationship still further with the Single Environmental Body.

Table 2 p43, is interesting, particularly the sections which refer to commissioning research, expert and technical advice, experimental projects or schemes and making payments, grants or loans. Our previous points above and elsewhere in this response would apply to this section ie involvement in the processes as members of organisations previously mentioned.

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?

Reform is necessary and, broadly speaking, we would support the Welsh Government in driving them forward, providing that all the safeguards, previously mentioned, are in place.

Either method suggested with regard to 'Badger Protection' seems fine to us providing all other safeguards are in place. We are not directly involved in this aspect of rural management.

With regard to marine matters, we have been encouraged by the marine conservation area recently established in Pembrokeshire. We would see, as a natural consequence of these measures a three-mile limit established around the whole of the Welsh coast where all large-scale commercial fishing is controlled in order to conserve both, marine stocks and migratory fish returning to natal streams.

We would not welcome conservation areas that may damage local economies etc, where small-scale enterprises should be allowed to flourish. An example might be the recently announced Marine Conservation Zones (MCZ) which would seem to reduce local and traditional methods of fishing. In particular the rod and line fishermen/women would seem to be harshly treated for a group who a) do little to deplete stocks nor damage the marine environment and b) bring a vitally important revenue source to Wales.

However, local fishermen/women have a traditional 'right' to continue fishing in a time-honoured way, with nets, pots and fishing rods. They, too, would need to be monitored/controlled but from a different perspective as local economies would be adversely affected by Draconian changes. Not only would this make good use of the Welsh natural food stocks, being sustainable (with careful management) but would also help sustain and grow the tourism sector, particularly and hopefully, eco-tourism. Commerce too would benefit as much of our stocks are exported to mainland Europe already and increased trade would benefit the local and Welsh economies.

Large-scale operations, often from countries outside the EU, must not

be allowed to deplete stocks, damage the delicate marine environment and, possibly, put local business people out of work.

We mentioned the revenue generated to the Welsh economy from rod anglers earlier in this reply. This has the potential to be encouraged, still further, and proposals should be made in order so to do!

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

An objective overview is essential with the clear aim of improvement in environmental well-being and benefits to the Welsh public at large. There may have been a parochial attitude (by the three bodies) in the past. Hopefully there will be no place for dogma in proposals but, rather, that common-sense and science-based principles be applied with an all-Wales focus.

The inclusion, again, of interested parties with lay people is an important feature of equanimity and transparency. Too often, in the past we have seen a purely scientific approach lead to short-term benefits but leading, ultimately, to headaches for generations later. A typical example would be previous flood mitigation projects where rivers are straightened etc in order to get flood-waters out to sea. This has damaged far too many habitats and agricultural systems and we are still reeling from the effects.

We need to temper a purely scientific approach with the common-sense attitudes and experiences of other, interested parties.

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, we would like to see that maintaining and improving our natural resources as a priority of the new, single body and that this is encompassed in the status, governance and accountability of it.

It is pleasing to see, p27 6.1, that the body would in many ways be independent of the Welsh Government, meaning that dogma or 'flavour of the month' policies are scrutinised properly. The Welsh Government has an enviable record of doing what is right for Wales and this must be maintained by 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?

The first paragraph in section 6.5 mentions the third sector, which we assume means the voluntary sector?

We would wish to have clear guidelines as to what constitutes 'voluntary', particularly how voluntary labour etc. would affect funding issues such as 'match funding'?

It is not clear what the intentions are re LFAGs what the document refers to as LFACS, are they to be abolished, renamed or subsumed into other organisations?

It is worrying that the practitioners of various water-based activities do not seem to have an active nor an effective 'voice' at this level.

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

We are of the opinion that a 'bottom-up' approach may be preferable to a top-down system.

It is widely accepted, too, that good policy often follows good practise. It is pleasing to see, therefore, the penultimate paragraph of section 6.6.3 p34, which clearly distinguishes between the political process and regulatory decision making.

We note, and feel a little uneasy about, the final paragraph of section 6.6.3 p34, "co-located professionals". What does 'co-located' mean?, and how would they be chosen/appointed and what qualifies 'professional' in terms of angling interests? Does this mean that the ordinary angler is not represented?

The inclusion, again, of interested parties with lay people is an important feature of equanimity and transparency and we would strongly recommend that this aspect becomes a cornerstone of the new body.

Colin Blythin, Chairman
on behalf of the Committee of the
Denbigh and Clwyd Angling Club

From: Andrew Bronwin [andrew@bronwin.co.uk]

Sent: 28 April 2012 17:10

To: SEB mailbox

Subject: WFBP response to Natural Resources Wales consultation

Attachments: WFBP response to Natural Resources Wales consultation May 2012.docx

Please ignore previous email and use this attachment instead

Andrew Bronwin and Co Ltd
Bryn Celyn, Park Crescent
Llandrindod Wells, Powys LD1 6AB

Tel 01597 825900, Fax 01597 825550
Mobile 07976 587343

Response of the Wales Forest Business Partnership to the WG Consultation Natural Resources Wales

We want your views on the proposed arrangements for establishing and directing a new body for Wales' natural resources.

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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

Your details

Your name: Andrew Bronwin

Organisation (if applicable): The Wales Forest Business Partnership is an industry led organisation primarily funded with public money which promotes wood growing and using businesses in Wales. It concentrates its work on the management of the woodland resource, using Welsh grown timber in construction, promoting SME's supplying, wood products and services, as well as, the development of the wood fuel sector.

Deleted: manufacturing

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Email / telephone: andrew@bronwin.co.uk 01597 825900

Consultation questions

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 principle of improving the management of the rural sector has to be welcomed. The forest sector has had serious concerns during the period leading up to this consultation that the Government has not taken into account the importance of the forest industry in terms not only of its contribution to employment and the economy, but also the ability of the sector to make a very positive contribution to the goal of developing an economy based on sustainable development.

It is probably true to say that both the public and private forest sectors have been too slow in the past in promoting the forest industry and this reticence may be one reason why forestry failed to feature at all in the Living Wales consultation, the precursor of this latest proposal.

However, the forestry industry has been more effective in lobbying over recent months and has seen its profile become much more recognised. Whilst that acknowledgement by Government is pleasing, it clearly demonstrates the potential problems with integrated management. Despite the aim of Government to ensure a more coherent management of Wales' natural resources there is a real risk that, unless each sector loudly promotes its case, it will be overwhelmed by the other sectors, which may be better at lobbying or, possibly, Government is simply more sympathetic to their cause.

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Notwithstanding the difficulties of merging cultures, the likely hiatus whilst the three organisations jockey for position and the overall disturbance to the management of the rural sector, our fear is that Government has substantially underestimated the difficulty of delivering integrated management and it only has a chance of success if these difficulties are clearly confronted and not played down or ignored.

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 acknowledgement of the concerns of the forest sector and the proposal to continue to allocate dedicated policy resources to forestry are welcomed. Our additional concerns relate to more specific proposals to safeguard the processing sector, recognise the importance of growing commercial species and understand the needs of the private forest sector including its relationship with the Forestry Commission.

One of the roles of the Wales Forest Business Partnership is to promote the use of Welsh grown timber in construction. This objective can only occur if we grow timber of sufficient quality and volume. Quality is required to provide the structural strength required by the construction industry and volume is needed to provide sufficient quantities of timber to keep the processing sector in business.

Therefore, there must be a viable planting programme with the emphasis on conifers and both newly planted and existing woods must be well managed. Government may argue that both of these objectives are already taking place through Glastir Woodland Creation and Glastir Woodland Management schemes. However, both of these initiatives relate only to the private sector and are delivered by another department. Both schemes are likely to fail because Government has failed to develop programmes which fulfil the needs of the industry, instead seeking to promote environmental gain only. Should that emphasis on the environment be reflected in the new body then the aims of WFBP and therefore the Government will not be achieved.

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The other concern which has not been adequately addressed is the fact that forestry currently falls within two Government departments. The public sector comes under these proposals to create a Single Body whilst effectively the private sector comes under the Department of Agriculture, Food, Fisheries and European Programmes. This split is confusing and does little to show that the Government is committed to delivering a coordinated approach to the rural sector when it has already managed to split the forestry industry.

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

A phased approach is crucial so that problems and failures can be remedied as the legislative programme is implemented.

We support the inclusion in the consultation of an independent annual audit which we agree, should focus on both financial and staff performance, as well as taking an objective view of the work of the Single Body to improve the management of Wales' natural resources.

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WFBP is concerned that the risks of implementing the Single Body have been underestimated, stating the only risks being staff pension costs, ICT costs and VAT status. The consultation document fails to comment on the problems of merging three organisations with very different objectives and cultures.

There will need to be an extremely competent chief executive appointed who can effectively and fairly impose a new culture on the Single Body. If this chief executive cannot be found or the wrong person is appointed the project will undoubtedly fail. If that proves to be the case then the second and third pieces of legislation proposed should not be enacted.

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 outcomes are too general to be useful. What will they mean in practice? For the forestry industry we would like to see strategic outcomes which deliver the following:

- Parity in the Government's approach to managing both the public and private sectors.
- A simple management structure for the Single Body.

- A long term vision for the forest sector.
- Recognition of the importance of timber production in Wales and, in particular, the production of quality timber.
- Recognition of the potential of the unmanaged woodland resource specifically in relation to the wood fuel market.
- The need for forest research with reference to widening species choice to mitigate the risks imposed by climate change, the impact of pests and diseases and the properties of Welsh grown timber for construction.
- Investment in developing a skilled work force.

Many of these objectives are already referred to in the Wales Woodland Strategy and are therefore part of the Government's policy for the forest sector. We simply ask that they are encompassed within the outcomes of the Single Body.

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

The delivery framework in Annex 5 is again too unspecific to be useful. For example, how does government intend to measure the amount of added value to Welsh timber or the impact of woodland diversity? Currently, Glastir is seeking to promote woodland diversity. ~~so~~ would a wider range of species being planted count as a success regardless of whether those species can be used in the processing sector?

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We would urge a closer analysis of the Government's own policies which forestry can influence, relating to:

- Climate change, housing, bioenergy, biodiversity, education, learning and skills and employment. For example:
 - The timber species used in the construction sector and the ability of the forest sector to grow those species – it is estimated 284000 additional homes are required in Wales between 2006 and 2026 and One Wales One Planet seeks to stabilise housing's ecological footprint by 2020 and then reduce it. Using home grown timber would achieve that aim but only if we are growing sufficient volumes of the right species.
 - Are we bringing more woods into management and, if not, how should we seek to achieve this aim? Managed woods will meet the objectives of the Wales Biodiversity Framework and the Bioenergy Framework amongst other Government objectives by bringing more wood fuel to the market whilst creating employment, stimulating enterprise and business growth, promoting tourism and enhancing skills for jobs.

We would urge that the delivery framework seeks to measure outcomes such as those indicated above. These specifics would give a much more accurate measure of success or failure.

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

Insofar as the forestry sector is concerned the illustrative examples quoted in tables 1-3 are as expected but, as stated earlier, what do they tell us about the structure and running of the new body? Because they are only examples it is suggested there could be many more and, if so, what are the priorities? If woodland access and tourism is to be given higher priority than the marketing of timber or incentives to increase woodland cover, then WFBP would take issue with the order of priorities.

WFBP has consistently made the case that good woodland management with an emphasis on production will result in woodland access, the potential for community management, enhanced environmental benefits etc at almost no extra cost. We therefore argue that Government's first priority must be to encourage and support woodland management which will involve supporting those activities which are costly and may discourage owners, both public and private, from managing their woods. These activities include such items as restocking, uneconomic early thinnings, infrastructure improvements, brashing and pruning of young crops and pest control. We know from experience that owners, particularly in the private sector, are reluctant to pay the full cost of management activities which may take many years to pay a return. Yet if this work is not done the crops will not produce quality timber, will be less attractive to look at and walk in and will be of reduced environmental benefit.

We see it as a prime function of the Single Body to recognise the need for good woodland management and to ensure it is encouraged in both the public and private sectors.

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?

Current licensing arrangements in Wales are bureaucratic, cumbersome and time consuming. Too often government officials see their area of work as taking precedence over all others and appear to make harder work of an application than is necessary in order to justify their jobs. In other words, there is rarely any sense of proportion and no attempt to manage sites on a risk basis.

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WFBP see the Single Body as an excellent opportunity to remedy this situation. It is interesting that the consultation document refers in such depth to badger licensing which leads us to suspect that government has little concept of the plethora of legislation relating to forestry, of which badger licensing is only a small part.

The industry has to obtain permissions for felling, European Protected Species, badgers, SSSIs, SPAs, SACs, drainage (culverts), construction of roads and tracks and fencing in a National Park. Add to this the impact of Plant Health orders, cross compliance, the Gangmaster Licensing Authority and taking into account nesting raptors. Currently it feels like it is almost impossible to work in a wood without the real risk of breaking the law and there is invariably a Government official who will delight in telling you where you have gone wrong and the penalties which will be imposed. It is little wonder that some private woodland owners choose to do nothing.

Despite consulting many of the relevant bodies when a grant scheme or felling licence is submitted once the scheme is approved the whole process has to be started again obtaining specific permissions from the various Government departments. This process is time consuming and expensive.

WFBP recommends that woodland management is based on a written management plan. As part of a single application as many permissions as possible should be applied for and granted. We would like a one stop shop where ONE Government officer takes responsibility for ensuring that all relevant permissions are granted. There must be a risk based approach with low risk sites receiving permissions quickly and without the imposition of unnecessary restrictions.

Forest tree health is a very pertinent topic at present with new diseases threatening our forests. The current arrangements work well with a very good service provided by Forest Research and FERA. We need the skills and cooperation of these bodies. The Single Body should take care to ensure that in rationalising the arrangements it does not disturb one part of Government which does work.

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

Forest Research is an excellent organisation providing an efficient and very effective service to the forest sector. It is imperative that Wales continues to buy in this service. Not to do so could be catastrophic (this is not too strong a word).

WFBP would encourage the Single Body to use Forest Research for more than disease prevention or control. If we are seeking to widen our species diversity to combat the risks of climate change we need to know far more about the species we are planting. Some work was carried out post Second World War as we sought to establish our forest sector but Sitka spruce proved to be the species which delivered most of our requirements, certainly in terms

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of the processing sector. Therefore work on tree provenances, growing trees in mixtures and timber qualities virtually ceased. If we are to grow a wider range of species we need to know which provenances to plant and the processing sector needs to know the qualities of these species. This information will take some time to gather and a start must be made as a matter of some urgency. At present we have a grant scheme (Glastir) encouraging species diversification without any concept of the implications and, indeed, it may well be that in an attempt to reduce risk we are simply increasing risk, by growing species which will perform poorly and be of little use to the sawmills or the end users.

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?

WFBP supports the decision that the new Body will be independent of the Government providing the Board is truly given the powers to run the organisation. There is always the risk that when the Minister has the power to direct but is not part of the decision making process Government has the best of both worlds by being a powerful influence but not responsible for poor decisions or internal squabbling.

As stated previously the key will be the new chief executive. He/she will have to ensure an equitable approach to the three organisations making up the new body and as quickly as possible establish a new culture.

We welcome the proposal to include forestry expertise on the Board. It is recommended that this expertise draws on experienced people from both the private and the public sectors.

We would like to see the state owned forest managed at 'arms length' within the Single Body. This separation would enable the forest to be run as a commercial organisation with separate accounts and carrying profit/loss from year to year. Should the Board decide it wanted to purchase additional public benefits from the state owned forests it fund these benefits in the same way as for the private sector.

This structure would bring a commercial element to the body which could help to alter the culture sometimes found in Government departments which can be inefficient and bureaucratic.

The increased scrutiny in the first two years is welcomed, as is the independent external assessment at the end of the two years. Presumably this assessment will be published.

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 stakeholder consultation is essential. The Single Body must resist the temptation to reduce or emasculate stakeholder consultation if the feedback is not to its liking (as we are currently witnessing with the process to develop [the Glastir Woodland Management scheme](#)).

There is a compelling argument for condensing the plethora of committees currently functioning. However, this strategy does not come without its risks. If the Board members representing forestry are not as effective as they should be, or their views do not represent the industry, there is a real possibility that the forest sector will be pulled off course. Therefore, it may well be an important safeguard for there to be a forestry local committee (similar to the current Woodland Strategy Advisory Panel), which can help inform the Board members and ensure that all forestry interests are being properly represented.

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

The current system of regulation is bureaucratic, disjointed, time consuming and expensive.

The proposal to self-regulate is welcomed. There needs to be a much better system for regulation based on risk rather than, as at present, each department considering their area of regulation to be the most important and not considering how it might relate to other disciplines.

The approach of the case officer should be positive and risk based weighing risks against benefits. The ethos should be to find practical solutions to problems.

If the Single Body can solve the problems of the current system it will do much to encourage woodland management, as some private owners are unwilling to deal with the bureaucracy and cost of the current arrangements.

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

In summary, The Welsh Forest Business Partnership, as the principal representative body within forestry in Wales, commends the following:

- The SB should recognise that forestry is important in Wales for employment, to the economy and for its contribution to sustainable development. Crop cycles in forestry

are many decades long and good woodland management needs to be encouraged and the long term investment supported.

- The SB should encourage and enable foresters to grow commercial species of trees in sufficient quantities and quality to support the processing and construction industries in Wales. This means conifers and the redirecting of current Glastir objectives.
- The SB should manage policy for both the public forest estate and private woodlands avoiding the split across two departments currently proposed.
- The SB should recognise the potential of undermanaged private woodland as a key source of wood fuel.
- The SB should accept that The Wales Woodland Strategy embodies current Government policy and should be the key driver of policy within the new body.
- The SB should create a single regulatory and licencing framework for forestry with one point of contact for each owner that will authorise all aspects of forest work. The licencing process should recognise the level of risk involved in the work intended.
- The SB should use Forest Research on a UK-wide basis for plant health, climate change, species choice and timber application research as Wales is not large enough to carry out the in depth research from its own resources.
- The SB should be encouraged to manage the state forest as an effective and efficiently run commercial organisation.
- The SB should recognise the Woodland Strategy Advisory Group as an effective advisory panel to the new board.

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

Sent: 29 April 2012 12:20

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:

Eric Williams

Organisation (if applicable):

Pembrokeshire Anglers Association

Email / telephone number:

ewilliams25@toucansurf.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?:

On the one hand, it makes sense to amalgamate functions that are duplicated/triplicated across individual departments/statutory bodies provided that (1)real costs savings are achieved and measurable improvements result therefrom and (2) the new body has the necessary independence to adopt realistic policies and not merely act as a WA delivery mechanism for "half baked" ideas. The appointment of Chairman and CEO is key.

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 views/concerns of forestry and industry interests are noted. What about the tourism industry - given the value of tourism to the Welsh economy this appears to be a surprising omission. Given the negative impact of forestry policies on the environment e.g. acid rain, siltation and the use of toxic chemicals, are their concerns a reflection on the tighter controls that might be coming their way?

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

No comment I would have thought that this whole process was designed to improve environmental standards - not just maintain standards.

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

A guarded "Yes". This new body will have a substantial remit but will it have the necessary resources to deliver.

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?:

Yes, although on first reading forestry and related activities appear prominently. Is this to signify its importance to the overall plan or highlight an area where more regulation is required?.

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?:

Yes - provided that the research is drawn from the widest possible sources, not just the sources whose research outcomes align closest to WA policy. There are many examples where political and commercial interests have aligned to the detriment of environmental issues.

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?:

Ensuring that its Officers and Board members represent as many interests as possible and that there is no one overriding interest respresented.

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?:

Local input/consultation is key to providing a more balanced approach to environmental and other issues and therefore bodies that exist as a forum for these local groups should be encouraged - and be represented on the main board

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

Totally agree with the penultimate paragraph of this section - ability to deliver will be the main factor to a coherent policy.

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

Eco and recreational based tourism.

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

Sent: 29 April 2012 12:20

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:

Gareth Wardell

Organisation (if applicable):

Formerly Board member of the Environment Agency and Forestry Commissioner

Email / telephone number:

garethindyfed@hotmail.com 07909 686437

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?:

An admirable aspiration for the Welsh Government to pursue

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?:

Yes. The Consultation Paper does not clearly define the overall challenges facing the Great Britain Forestry Commission, the England and Wales Environment Agency and the Countryside Council for Wales. We have to wait until Page 53 for the attempt to address this matter. This is done by quoting-a little inaccurately- from Paragraph 1 of the EC's Efficiency Resources Road map (September 2011) However, the first Paragraph of that Document provides an excellent introduction as to the nature of those Challenges. For ease of reference, and because of its importance, I include the Paragraph in the quotation below: "Europe has enjoyed many decades of growth in wealth and wellbeing, based on intensive use of resources. But today it faces the dual challenge of stimulating the growth needed to provide jobs and well-being to its citizens, and of ensuring that the quality of this growth leads to a sustainable future. To tackle these challenges and turn them into opportunities our economy will require a fundamental transformation within a generation-in energy, industry, agriculture, fisheries and transport systems, and in producer and consumer behaviour. Preparing that transformation in a timely, predictable and controlled manner will allow us to further develop our wealth and wellbeing, whilst reducing the levels and impact of our resource use".

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?:

This follows on directly from the answer to Question 2 above.. The principal aim of the new Single Environmental Regulatory Body should be the establishment of a new institutional structure that enables some of the functions of the Great Britain Forestry Commission, the England and Wales Environment Agency, and the Countryside Council for Wales to be carried out in the most effective manner, so as to enable the regulatory framework in Wales to meet the dual Challenges faced by the people of Wales, as identified in Paragraph 1 of the EC's Efficiency Resources Roadmap.

It is unfortunate that the functions listed in Tables 1,2 and 3 are not allocated to each of the organisations with which we are concerned. It therefore is not easy to consider whether the new Single Environmental Regulatory Body should include within it those functions that are better performed by organisations other than these 3, and indeed, whether there are functions currently carried out by other bodies, that should be included within the new Single Environmental Regulatory Body. Nonetheless, there is a gap here in the analysis which, in my view, should be filled, before any further steps are taken to set up this new organisation. I will provide here just two examples of where it would be helpful to consider a transfer of functions away from two of the existing bodies, since they are ones on which I have had the privilege of serving. 1. Transfer of functions away from the England and Wales Environment Agency. The obvious candidate here is Flood Risk Management. This function could be transferred to the Welsh Government or to the local authorities. This is a function that is very different from the regulatory function of the Agency in carrying out its role as for example, a regulator of pollution of air, land and water. This function is one whereby the Agency provides a direct service, unlike most functions. It also has a different culture from the other functions. I would urge the Welsh Government to seek answers to the following questions (among others) before proceeding any further. (i) What are the synergies between Flood and Coastal Erosion Risk management and

other government Departments? (ii) What are the synergies between Flood and Coastal Risk Management and other Departments in local authorities? (iii) Should a basic overview role sit with the Welsh Government, and the practical day to day deliveries sit with the local authorities? 2. Transfer of functions from the Great Britain Forestry Commission to the Welsh Government. The Forestry Commission is a non Ministerial Government Department, whose responsibilities include commercial forestry on land owned by the Welsh Government. The personnel of the Commission are civil servants, and they have been working for some years as an integral part of the Welsh Government. The "Gestalt" of the new Single Environmental Regulatory Body would be seriously undermined if it included within its functions that were formerly carried out by Forest Enterprise. It is obvious that delivering an income stream for the Welsh Government through the harvesting of commercial timber on its land, while also negotiating options on behalf of the First Minister on Government land for activities such as renewable commercial energy Projects, are not credible functions for an Environmental Regulatory Body.

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?:

That the savings that will be actually made from the setting up of the new Environmental Regulatory Body will be channelled in its entirety to Investment in research, under the leadership of the Welsh Government Chief Scientist, Professor John Harries, an acknowledged world expert on Climate Change. Sustainable Development lies at the heart of everything that is done by the Welsh Government. That has to be underpinned by evidence based, home grown science. These additional funds will provide this opportunity.

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?:

In Paragraph 4.2.4 on Page 33 of the Business Case Annexes, it is stated that: "Many of the risks relate to the business continuity and financial responsibilities for the legacy bodies. Understandably, significant concerns have been raised over the ability to maintain performance whilst legacy capacity is potentially directed towards the establishment of a Single Environmental Body". The Business case identifies potential savings from the new institutional arrangements. However, the Business case does not include within it the "externalities" that are the costs imposed by this process upon the shoulders of SME's and other businesses in Wales, as the result of the shift of personnel from each of the 3 bodies into the Welsh Government for the preparatory work that constitute a huge task. These costs will exhibit themselves in the form of delays and lack of morale within these organisations as they face an insecure job future. While therefore some savings to the Welsh Government may result from the process, the true impact will not have been evaluated within the Business case. Indeed, it has not formed part of it. While the Business case presented for independent Review by Mr Nigel Reader was expertly executed, his "brief" did not extend to applying a comprehensive cost/benefit analysis to the setting up of a new Single Environmental Regulatory Body. Such an exercise should now be considered. It is the entire costs that should be evaluated, since the Welsh Government must ensure that its actions do not inflict additional costs on the private sector during a severe business recession.

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 two risk issues that are identified in Table 2 on Page 38 of the Main Business case give me great cause for concern. It undermines confidence when the risk of adverse impacts upon staff and organisational performance during and after transition are to be mitigated by accepting some short term impacts. It certainly does not assist in assessing the impacts when phrases such as this are used. So far as the risks posed by staff reductions, an opportunity is lost here to address the question as to the means that the Welsh Government will use to ensure that Wales will become an attractive country for experts in environmental regulation in which to work..The balance between specialties and sub-specialties will be far more difficult to achieve when the size of the ecosystem that is to be regulated will be markedly reduced. It is vital for human resource efficiency purposes to be able to rely on an appropriate cohort of generalists and experts.

From: David Eagar [david_eagar@btinternet.com]

Sent: 29 April 2012 12:54

To: SEB mailbox

Subject: Consultation Natural Resources Wales

Dear Consultation staff,

Quoting 4.1 "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."

Comment: Much prefer the phrase "to manage our economy", because that demonstrates a fundamental understanding of the primacy of sound (=wise) long-term management of the life-supporting environment. The word "develop" and much associated thinking and driven action is, I submit, very largely responsible for the serious environmental problems we have been, and are, facing. Until senior government officials and politicians recognise that fact, the major problems will continue indefinitely, and will probably multiply and escalate.

Quoting Table 1 and 3

Conservation, restoration and enhancement of the landscapes and seascapes of Wales.

The economic, social and cultural interests of the people of Wales, including the desirability of conserving buildings, sites, landscapes and objects of archaeological, architectural, engineering or historical interest.

The fundamental impulses in the functioning of a new, integrated single body should be to keep under permanent review and examine the consequences of actions and inaction as it affects the environmental integrity, and its human 'services', as well.

David Malcolm Eagar, BA (Geography), MSc (Ecology), FRTPI(Ret.)
Former senior landscape policy officer to CCW; devised LANDMAP.

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

Sent: 29 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: Felicity Wills

Organisation (if applicable): The British Horse Society Cymru National Committee

Email / telephone number: felicity.wills@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?: We can see real and significant cost benefits to a single environmental body, but recognise that it will take very strong leadership from the top level of management to secure a merger of 3 very distinct bodies, and also feel that it may well take up to 5 years to achieve the desired outcome and for the body to work effectively

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 obviously been considerable consultation between the three bodies and such organisations as the NFU and FUW to address the identified concerns. However, there is a lack of evidence of such consultation with actual user groups such walkers, horse riders, mountain bikers and other access users. There is a huge economic benefit to Wales from these groups - ie there are 93000 passported horses and ponies in Wales creating a dispersed industry within the Principality of some £279 million per annum. This is just one sector. Such groups have a very important part to play in this process and a lack of consultation in the initial stages can only be of detriment to the process, the users groups themselves and related SMEs largely in the rural areas where employment is more difficult to obtain. There is also lack of evidence of cognisance of the whole outdoor tourism industry for Wales - another disturbing factor in this element.

Question 3: What are your views on this phased approach? How could we improve on it?: A phased approach is sensible and we trust that this process will be dynamic and will change as necessary to meet demands as the systems bed in place.

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

See also comments at 2 above. We are pleased to read that 4.4.1 of strategic outcomes'promoting economic, social, environmental well-being and outdoor recreation'. This is one of the few places within the consultation document that this is mentioned. We hope that point 5 does not mean that Wales becomes one huge wind farm factory for England otherwise the strategic outcomes in points 1-4 may well disappear

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

This seems an acceptable approach to us.

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

These seem reasonable, but until the new body is actually functioning it will be difficult to know if it is the right approach, and hope that an element is built in to meet new requirements as they come to light.

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 do not have a detailed enough knowledge to comment on this question.

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

We see this as a sensible approach to environmental research. Will there be more opportunities to work with Universities in Wales within the research element? We feel that this would give opportunities for additional funding for such an important area of work.

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 feel that this is a difficult area to comment on as we find it difficult to see how the new Board will be independent when the new body is funded largely by the Welsh Government. We do agree that 12 is a reasonable number for the Board. Again we would hope that consideration will be given to changing this number in the light of how the new body and its needs require.

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?:

As consultation with users groups has been so limited, and we feel for this to be meaningful this should have already taken place, it is impossible for us to make a judgement on this. Remember that there was a huge outcry in England when change proposals to the Forestry Commission land were brought forward. This must have been a costly mistake, and would not like to see this happen in Wales when resources are always limited. It would be a shame for the Single Body to have to deal with this issue so early on in its life. We feel that the process should halt until all user groups have an input into the initial plans.

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

We feel that this sounds good in theory, but feel that something needs to be built in to review effectiveness on a regular basis - every two or three years perhaps.

We feel that this consultation has been written in such a manner that it is nearly impossible for the layman to understand, let alone to make meaningful comments. The lack of consultation with the actual user groups on the ground we find very disturbing. Although access may not seem important in the grand scheme of things it is VERY important to those who use it. Recreation is only mentioned briefly in the document, yet it brings so much money into Wales it seems very foolish to ignore its presence or value to the economy. We find the case for change pages 52 to 56 very biased - to be able to base a coherent argument for or against a case it is essential to have in front of you the full picture of what is currently happening against the proposals - you can then draw an informed conclusion. We have no doubts that these have been discussed at length in the background - but where is the evidence in the document? On balance we feel that there probably is a good case for a merger and can see huge financial savings following from this. However, we have a real concern over the lack of evidence that all user groups of the countryside and forests of Wales have had an involvement in the initial stages. We welcome the opportunity to have an input now, but feel that it is very late in the proceedings when so much work has already been done, and feel that our needs and the benefits to the Welsh economy have been ignored to date and may not be deemed important so late in the process. For your information the British Horse Society is the UK's largest charity which campaigns for access and rights of way,

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

equestrian safety, horse welfare and training. If you require any further information, please do not hesitate to contact me. We, as an organisation would be delighted to work with you in the future on this or any other access, welfare or safety related aspects of equestrianism.

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

Sent: 29 April 2012 13:45

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:

Ruth Stafford

Organisation (if applicable):

Email / telephone number:

mruths@hotmail.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?:

Hello. I just want to mention that the webpage with the link to this page on does not make the "consultation document" link very clear. I scrolled to the bottom as I add docs to webpages at work, and know they are usually at the bottom. Anyway, I haven't read it, as it's 65 pages (so about 62 to read I guess). I just wanted to say that I think it's a good idea and that I'm a bit scared (as others will be) that it will cost a lot and still involve lots of long-winded processes before decisions are made and effective action taken. Anyway, I expect you are aware of the pressure to make this really work, so Wales's resources are conserved and used to best effect for all of nature. I really hope that the new body is run by those who care the most, and are most able to do what is urgently needed. Thank you for the work you are doing, Ruth (near Montgomery).

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: cathy obrien [cathy@obrien6236.freeserve.co.uk]
Sent: 29 April 2012 15:05
To: SEB mailbox
Subject: Natural resources Wales - Proposed arrangements for
establishing and directing a new body for the management of Wales'
natural resources

Attachments: Natural Resource Wales.doc

Dear Sir or Madam

As a member of staff from within Environment Agency Wales we have been encouraged to make individual responses to this consultation paper and as I was unable to input to our organisational response due to pressure of work related to the introduction of Statutory Recycling Targets for local authorities in Wales I have made a personal response which is attached here. I personally support the proposals but have some significant concerns which I outline in the attached response.

Cathy O'Brien.

Natural Resource Wales – proposed arrangements for establishing and directing a new body for the management of Wales’ Natural Resources. Consultation document.

Comments by Dr Cathy O’Brien, Chartered Waste Manager and Chartered Environmentalist.

Historically throughout the eighteenth, nineteenth and twentieth centuries Wales’ environment has suffered directly as a result of the extraction and use of natural resources from Wales, leaving a legacy of land and water contamination. This, of course, had an impact on the local ecosystems in the places where these activities were carried out. In the latter part of the twentieth century, and still continuing today, much of the localised past environmental damage has been remediated.

However, we face different types of environmental problems today which have causes on a global scale. Climate change is probably one of the biggest problems we face and need to adapt to and the ecosystems of Wales will also need to adapt to changing world and local weather patterns as a result of the changing climate. We also have a situation where we, in Wales, use more than our fair share of the earths resources as demonstrated by the ecological footprint studies of Wales. The Welsh Government has indicated that it will seek to reduce our national use of resources to a more sustainable level within one generation in the one Wales one Planet document and as a result of the Government of Wales Acts the government has a need to place sustainable development at the heart of what it does as its central organising principle.

The consultation document refers to the ecosystem approach as being the means the new body will use to inform its work on sustainable development. This has shortcomings in respect of the fact that the green paper makes little reference to the cross cutting environmental problems such as resource management and climate change but places considerable emphasis on the ecosystem approach to local environmental management. There is the danger that significant opportunities will be lost by this approach, which may not address the more wider scale problems that will impact on Wales’ ability to tackle some of these problems.

This document says a lot about the management of natural resources in Wales, particularly water and sustainable management of Welsh natural resources and ecosystems. However it does not say much about management of resources in Wales that do not originate from the Wales natural environment. The resources that society uses in Wales originate from the earths resources on a global scale and have a significant impact on the ecological footprint of Wales. Wastage of these resources within Wales might not have a direct effect on Welsh ecosystems through pollution etc but have a significant impact on the wider impacts such as climate change which do have local impacts on ecosystems. These wider issues should not be ignored by this new body as a result of too great an emphasis on local environmental impacts.

The absence of any reference to waste and resources more generally as an issue in Table 1 “The main areas of work” is a concern. This is particularly noticeable in the section relating to climate change mitigation and adaptation.

This is of concern considering the major impacts that changes in the way we manage wastes in Wales can have in relation to greenhouse gas emissions. This is important both in terms of reducing the emissions of methane from landfill sites where progress has been made by Environment Agency Wales' regulatory activity, but this initiative needs to continue, to maintain and add to the improvements achieved. But, also in relation to the need to increase recycling of materials by all sectors of Welsh society, recycling as opposed to disposal of waste has significant associated savings in greenhouse gas emissions and needs to be promoted and outcomes measured in a systematic fashion. Also the section on reducing the effects of pollution on the environment in Wales makes no reference to reducing resource use and better management of resources within Wales which can be achieved through advice to regulated industries in Wales, this section seems to relate solely to pollution in the more narrow sense and therefore to local environmental issues relating to water and air pollution, rather than the bigger issues associated with global issues such as climate change.

Whilst the delivery framework contains some references to waste in the context of minimising of waste in Wales, through regulation and other programmes and manage its impact on ecosystems in Wales and internationally, there is a low level of representation of this issue relative to water and managing local ecosystems. This is a matter of concern in relation to the perception of the relative level of importance of waste in relation to management of local ecosystems, this will have a negative influence on this issue within the management of the new body in Wales.

The new body must take up the challenges posed by the EC's Resource Efficiency Roadmap within the way in which this new body addresses the issues which will affect Wales in the future to the detriment of our local environmental quality. This roadmap focuses on resource efficiency encompassing the need for sustainable consumption and production which requires the equal emphasis on the ecosystem, the natural capital, but also takes in the economy, the manufactured and financial capital and human well being, the social and human capital. A pivotal part of this is the need to turn waste into a resource and the need to establish a circular economy in respect of the management of materials within our economic system.

Finally, as a member of staff of Environment Agency Wales, I maintain a watching brief on the development of the new body, I have concerns over the different approaches of the different bodies being drawn together in this proposal to staff being members of professional bodies, where only the Environment Agency supports membership through the payment of staff subscriptions to a recognised Environmental professional body. Membership of professional bodies provides the opportunity for a two way flow of information and is particularly important where trade bodies do not represent the majority of the Welsh regulated community, this is the case for waste, as the trade body (Environmental Services Association) only represents a small proportion of the waste management companies that operate facilities that manage waste in Wales. Both we and the Welsh Government have utilised this route for disseminating information in the recent years.

Dr Cathy O'Brien, FCIWM.

From: Blaise Bullimore [e-mail address removed]

Sent: 29 April 2012 15:46

To: SEB mailbox

Subject: Natural Resources Wales consultation response

Attachments: Natural Resources Wales consultation response_BULLIMORE.pdf

Dear Ms Moss,

Please find attached my response to the Natural Resources Wales consultation.

Please acknowledge receipt. Thank you.

Regards,

Blaise Bullimore

[personal contact details removed]

[personal contact details removed]

Carrie Moss
Living Wales Programme Team
Department for Environment and Sustainable Development
Welsh Government
Cathays Park
CF10 3NQ
By e-mail: SEB@wales.gsi.gov.uk

29 April 2012

Dear Ms Moss,

Response to consultation on Natural Resources Wales

I acknowledge the opportunity to comment on the Welsh Government's proposed arrangements for establishing and directing a new body for the management of Wales' natural environment.

In terms of my credentials for making comment, I am a professional marine scientist and conservationist with over 25 years experience attempting to implement UK marine nature conservation legislation. Since taking early retirement from the Countryside Council for Wales in 2006 I have continued to work in both the development of European Marine Sites and as an independent consultant specialising in marine environmental monitoring. Despite currently working to multiple statutory authorities as an EMS officer, I make it explicitly clear that this consultation response is undertaken in my private capacity.

Please note that whilst I am content for my name to be made public as a respondent, I expressly request that my address, telephone number and e-mail is not to be released or in any way made public in conjunction with this consultation.

Summary

The case for creation of a new single environmental body is flawed; I object to its creation.

If created, the central organising principle of the proposed new body should be environmental safeguard and the promotion of sustainability, not to support development, whether or not labelled as "sustainable development", nor management of "natural resources".

General comments on the consultation document

The document is inconsistent, contradictory and therefore misleading.

The answer to question 1 is prejudged by all the subsequent questions taking as read the creation of the new body.

The questions are leading and clearly directed to specific, preferred outcomes.

Many important questions are simply not asked; for example, no question is asked about the proposals described in section 3.2.

The document is fragmented, and thus again misleading, making clear response difficult; for example, the purpose of the new body is not confined to section 4 but it is also described at length and, importantly, *differently* in section 2.

The overall tenor of the consultation demonstrates that the Welsh Government has an unacceptably utilitarian view of the environment and natural resources.

The document is clearly and unacceptably biased toward the interests of the Forestry Commission and forestry issues.

Section 1 Background

The same misguided description and understanding of the environment that runs through the *Sustaining a Living Wales* consultation is repeated herein. Biodiversity is not, and should not be described as a natural resource nor as an ecological service. On the contrary, biodiversity, together with geodiversity, forms the fundamental and indispensable fabric of the natural environment - the planet's life support infrastructure. Apart from anything else, protecting this fabric is critical to the survival of future generations of humanity, not simply for the short term "benefit" of present communities.

Question 1: the need for a new single environmental body

"If it ain't broke, don't fix it" is an adage popularised in the USA during the 1970s, as advice to government obsessed with "Fixing things that aren't broken and not fixing things that are broken." Whilst some improvements to the governance and operation of the Countryside Council for Wales, Environment Agency and Forestry Commission are undoubtedly necessary and would be welcome, these agencies are well established, their roles are distinct and they perform those roles in a generally appropriate manner; they are not broken. There is, therefore, no pressing or convincing need for them to be dissolved and for a new body with their combined functions to be created.

In an ideal world, starting with a clean sheet, a single environmental protection body *might* well be a good option. However, given the differences in the current agencies' roles and, in particular, the differences in culture and philosophies between them, there will be extreme difficulty in successfully melding them together resulting in huge risk that the best outcomes for environmental protection will be compromised.

The business case for change is wholly unconvincing. It demonstrates every indication of being contrived to deliver a politically motivated, pre-judged outcome. The purported savings over ten years are a small percentage of operating costs and are predicated on problem-free transition of both IT systems and pension provisions; given the history of spectacular failures and massive cost overruns in government IT and pension arrangements the predicted savings are impossible to accept at face value.

The criteria and relative weightings of the business case demonstrate a fundamental failure to understand the relationship between the fabric of the environment, human society and the business economy. The economy is a subsidiary of society and society is absolutely dependent on a healthy and robust natural environment, not the other way around as the business case criteria imply.

I object to the proposal to create a new single environmental body.

Regardless of question one being asked, it is clear that the decision to create a new body has already been made. My response to the remainder of this consultation document is therefore made on this premise and should not be interpreted as agreement with that decision.

Question 2: measures that could be taken to address concerns

Shelve this process and start again *after* the *Sustaining a Living Wales* consultation has been completed and it is clear what changes to delivery mechanisms, if any, are required to best meet the solutions objectively identified by that process.

It is noteworthy that the National Assembly's Environment and Sustainability Committee report on the business case for a single environment body comments that determining the mechanism by which it wishes to see a policy delivered (the SEB) before the policy it is meant to deliver has been finalised (the Green Paper) is putting the 'cart before the horse'.

Question 3: views on approach and how it could be improved

The process is rushed, unclear, likely to confuse and risks delivering an inappropriate solution to problems that essentially do not exist. There is a need to stop, review the proposals objectively and start again *if* it is deemed necessary, or develop an alternative and genuinely appropriate, evidence-based way forward.

In spite of the assurances that section 16 of the Public Bodies Act would preclude the removal of environmental protection, there remains significant risk that combining the functions of the three existing agencies into a new single body with an inappropriate central organising principle and purposes will indeed degrade the current barely adequate standards of environmental safeguard.

Question 4: whether the proposals provide a good basis for their aims and outcome for a new single environmental body

Question 4 is leading and presupposes agreement with the aims and strategic outcomes. The concise answer is no.

The purposes of the proposed new body described in the document are inconsistent, contradictory and presented in a fragmented manner which obscures these contradictions. Additional to the purposes described in section 4, purposes are also implied in section 1.2 and assigned in section 2.2.

Reference to the new body's purposes being the management of "Wales natural resources", to "enable economic development and growth", under the central organising principle of "sustainable development" demonstrate a clear misunderstanding of the role and importance of the natural environment and the imperative need for one or more agencies whose central purposes is its protection. It is misguided to consider and describe the natural environment in a predominantly utilitarian manner and it is wholly unacceptable that any environmental protection agency's core purpose should be supporting economic development; ensuring that development is sustainable, most certainly; but supporting development *per se*, no. Such purposes would compromise the new body's ability to undertake an effective environmental protection role from the outset (as they would also do if imposed on the existing agencies); for example, tensions between the protection of forestry business interests (the focus of forestry references in the consultation document) and environmental protection roles are already obvious in the document.

Paragraph 4 of section 4.1 is particularly confused and suggests poor environmental understanding and thinking. It erroneously conflates the fundamental importance of the long-term protection of the planetary life support infrastructure and system with short term economic decisions and needs.

Paragraphs 5 and 6 are also badly flawed. There is no mention of exploiting "natural assets" in a sustainable manner, but only to perpetuate economic growth despite the flaws in this objective:

"The rapidly deteriorating biophysical situation ... is barely recognized by a global society infected by the irrational belief that physical economies can grow forever and disregarding the facts that the rich in developed and developing countries get richer and the poor are left behind. the perpetual growth myth is enthusiastically embraced by politicians and economists as an

excuse to avoid tough decisions facing humanity. This myth promotes the impossible idea that indiscriminate economic growth is the cure for all the world's problems, while it is actually (as currently practiced) the disease that is at the root cause of our unsustainable global practices.” Rio + 20 Blue Planet Synthesis Paper, *Environment and Development Challenges* February 2012.

The emboldened statement of the proposed new body's aim in section 4.4 is:

- inconsistent with the aim for public bodies stated in the *Sustaining a Living Wales* Green Paper: “to manage the environment as a whole in order: *To ensure that Wales has increasingly resilient and diverse ecosystems that deliver environmental, economic and social benefits now and in the future*” (which, although a more environmentally acceptable aim, is still imperfect);
- unacceptably utilitarian and anthropocentric;

whereas it should be clearly and explicitly focused on protecting the environment - including, specifically, its biodiversity, geodiversity and ecosystem functioning.

The subsequent strategic outcomes reflect the wrong priorities and are in the wrong order: the correct order is and should be shown as environment - society - economy.

“The economy is a wholly owned subsidiary of the environment, not the reverse The economy is a subsystem of the finite biosphere that supports it” (Ecological economics and sustainable development). Herman E Daly, emeritus World Bank Senior Economist.

The aim in the Green Paper better reflects this understanding, as does some of the wording in Annex 1: *eg* “a remit to ... help join up environmental decision making, enable us to better live within environmental limits and help reverse trends in declining biodiversity, unsustainable resource consumption and associated greenhouse gas emissions.” Public health and recreation are a subset of societal goals, along with economic goals, and should not be abstracted and implicitly prioritised ahead of environmental health. It should go without saying that a healthy environment is an absolute pre-requisite to public health.

Strategic outcome 4 needs to be revised to focus on delivery of sustainability, rather than encouragement of exploitation. It should read something like: “Ensure the use, management and consumption of natural resources and ecosystem services are sustainable.”

I object to the central organising principle of the proposed new body being sustainable development and to the proposed aim of the body defined in section 4.4.

If a new body is to be created, government needs to turn its misguided view of the proposed body's purpose to enable development and support economic growth on its head and to unambiguously assign it the duties of protecting the natural environment from the impacts of human activity and to deliver sustainability.

If created, the name of the proposed new body must both reflect its environmental safeguard purpose and be easily understood by the whole of the population of Wales and Wales' neighbours. The discarding of the word 'environmental' from earlier references to a 'single environmental body' in the Natural Environment Framework documents that preceded the Green Paper sends a loud and wholly unacceptably negative message about the importance of the environment in the mind of government; this must be redressed. There would be much merit in such a clear title as Welsh Environment Protection Agency. Not only would it be clearly understandable to the public, it would clearly demonstrate government's commitment to protecting the environment and be a constant reminder to the new body of its *raison d'être*.

The document makes repeated reference, in various forms of words, to managing the environment; for the most part this is naive, arrogant and misleading. Whilst humanity certainly impacts upon and shapes the natural environment, very little of what positive action society takes to protect the

environment is managing the environment itself; in reality most is actually management of how society – *ie* people - behaves. Implying that humanity can do a better job than the natural environment is the epitome of hubris.

There is vanishingly little mention of the marine environment in the consultation document. On the few occasions it is mentioned, it is generally to except marine functions from the new body. A new environment body should have the same duties and responsibilities to marine as to terrestrial nature conservation, *eg* the management of marine protected areas and marine fisheries.

Question 5: approach to the delivery of framework

Notwithstanding the content of Annex 5, whose status as a model of what a framework “*might* look like”, section 4.5 clearly states “we would develop a delivery framework for the body”. On this basis it is impossible to answer this question since there is no framework in place at present.

Question 6: whether the functions described those required

There is no reference in Tables 1 – 3 to any functions in respect of the marine environment. This is unacceptable and is inconsistent with the selective references to marine issues in section 5.3. Functions should at least include marine protected area management and management of marine fisheries (see below).

The strong focus on anthropocentric functions at the expense of environmental protection functions needs to be redressed.

The bias toward forestry functions needs to be addressed to give at least comparable attention and greater weight to environmental protection functions.

Question 7: views on other functions including marine

Encompassing marine licensing within the new body is welcomed, subject to reservations about self-regulation below.

Marine fisheries are acknowledged as having been degraded (Annex 2) and the model delivery framework (Annex 5) identifies functions to “secure better management of terrestrial & *marine* ecosystems ...” and to “influence marine fisheries”. Despite this implicit recognition of the need for improved fisheries management, the document unaccountably proposes to retain fisheries management within government rather than assign it to the new body. This decision is inconsistent with the approach for almost all other functions (except agri-environmental management) and is unacceptable. Personal experience with attempting to influence management of marine fisheries in European Marine Sites (designated under the EC Habitats Directive) clearly demonstrates the near impossibility of influencing marine fisheries management undertaken by the Welsh Government.

Marine fisheries management and marine protected area management functions should be assigned to the new body.

Question 8: environmental research

Any new environmental body would need to retain a strong science base to provide the evidence based approach to management that the Welsh Government espouses. Critical to this would be the retention of scientific staff specialisms within the body.

Question 9: governance

The proposals for governance have already been undermined by the lack of transparency to date. The opaque and rushed recruitment to the shadow body in particular has compromised the integrity of the new body.

The status of the proposed body described in the document is inconsistent and contradictory. It is impossible to see how it might have the degree of “significant discretion” across many functions described in section 4.1, and the independence identified in sections 4.3 and 6.6.3, whilst government reserves the apparent degree of direction and control implied elsewhere in section 6.

Question 10: views on stakeholder arrangements

Stakeholder engagement has already been fatally compromised by inviting comment on proposals that are clearly a *fait accompli*.

Question 11: regulatory arrangements

Self permitting, self regulation and the internal provision of conservation advice where the new body regulates others are significantly greater potential problem areas than acknowledged in the document which almost dismisses them as a concern out of hand despite the evidence to the contrary.

As an example, the recent dispute between the Environment Agency and Countryside Council for Wales concerning advice on the likely adverse impacts of Pembroke Power Station and the ultimate decision to allow the EA to disregard CCW’s advice and to proceed with permitting the power station was in the public domain, subject to public scrutiny and has resulted in a complaint to the European Commission alleging a failure to correctly implement the EC Habitats Directive. The capability to deal with such issues behind closed doors would be wholly unacceptable and prevent the new body being scrutinised and held to account by society.

It is misleading at best, disingenuous at worst to attempt to conceal the risks inherent in these issues by simple reference to the number of incidents or problems. Whilst they *might* be few (although no evidence is presented to support this assertion), the scale of the risks they may impose could be considerable.

Solutions to prevent this issue occurring within the proposed new body are not obvious; it is a further case for maintaining a healthy separation of functions.

The assertion that decisions which “balance all relevant interests” will protect the environment is naïve and misleading. There will inevitably be times when win-win-win solutions will not be attainable. When such occasions arise it is imperative that the new body has the clear mandate to disregard unsustainable social or economic arguments in favour of environmental protection.

Whilst there would undoubtedly be benefits from collocation of staff, this should not be interpreted as meaning that regulation should be centralised. In my experience, centralised regulation is often poorly informed and lacks necessary familiarity and understanding of specific local circumstances; it is also more subject to political influence.

Yours sincerely,



Blaise Bullimore

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

Sent: 29 April 2012 17:40

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:

Mr M Hamilton Sherry

Organisation (if applicable):

Individual (supporter/volunteer NGO Sector)

Email / telephone number:

07766983351

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?:

It seems to an unnecessary process which will do little, if anything, to improve the services of any of the three organisations. With the Sustaining Living Wales process underway and the green paper out to consultation it will not be possible to make an informed judgement on whether a single body is appropriate until this has been completed. The form of any organisation cannot be decided before its function has been fully established. Additionally, the business case does not seem to add up and it seems very unlikely to save any money in the long term. IT costs are notoriously difficult to quantify, government IT costs are well known for going way over budget and the full version of the business case does not seem to be easily available on the website as the consultation document suggests.

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 above I feel that the Single Body process should not go any further until the Sustaining Living Wales process and the Environment Bill (2015 in Sustaining Living Wales document) are implemented. There seems to be an overemphasis on commercial forestry in this document and the statement that "The forestry staff group would also be the single largest function in the new body" is of great concern when the Forestry Commission Wales is the smallest of the three organisation. The issues of transparency and conflict of interest do not seem to have been fully addressed in Section 6 and the strong emphasis on forestry may well lead to a number of conflicts of interest within the body (with

aspects of nature conservation and recreation for example). The suggestion that a self permitting system can easily solve all these potential issues seems to be extremely naive and previously public discussions between the three agencies will now be conducted behind closed doors.

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

The phasing is incorrect as detailed above.

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. I totally disagree with the principal aim. It seems to be closer to the aim of a Welsh economic development agency rather than what is supposed to be the only government environmental body. The aim of the Sustaining Living Wales document is far more appropriate and the two should really be the same. The strategic outcomes are very odd. To see protecting public health and safety as the first aim of an environmental organisation with far more pertinent aims such as conservation, sustainability and climate change relegated to the bottom of the list suggests that Welsh Government are losing sight of the real reasons for these organisations existence.

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

This needs detailed reconsideration. Again there seems to be an overfocus on forestry and woodlands, and very little about other habitats and species, with biodiversity getting only the briefest mention. Many indicators are not truly measurable or comparable with any previous data and so of little use as success criteria. There seems to be some odd statements 'shoehorned in' such as "The body is viewed as a champion of sustainable renewable energy" when this is a private sector activity of which a government organisation must have an independent and unbiased view otherwise their advice will not be credible.

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

Yet again woodlands and forestry seem to be overemphasised, for example the section on climate change mitigation does not even mention the need to restore blanket bogs or improve the resilience and diversity of ALL wildlife habitats (not just woodlands). There is no mention at all of the need to work with NGOs such as the National Trust in delivering an improved environment. There is little mention of wider biodiversity or ecological networks and yet these are regularly mentioned and promoted by wildlife organisations.

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?:

These need to be adequately staffed.

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

There seems to be a real lack of detail in this extremely brief section but clearly there will be a need to have staff with specialist scientific knowledge to commission, interpret and apply scientific 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?:

No. As detailed above I am concerned about transparency of discussion and decision making. Additionally, I am worried about the lack of emphasis on international legislation and governance, such how will contribute to the Habitats Directive and the Convention on Biodiversity.

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 contains little mention of the NGO sector, with existing successful partnerships such as Wales Environment Link and the Wales Biodiversity Partnership not even considered. This sector is extremely important in Wales in undertaking practical conservation work. The very brief mention of Wildlife Trusts is confusing and really says almost nothing.

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

I have already mentioned my concerns in this area and feel this issue of self permitting is likely to cause conflict within the Single Body with the differing interests of the three current organisations not always being in agreement and the loudest (perhaps involving economic factors) taking precedence at the expense of conservation.

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

From: Roscoe Howells [roscoe2@tiscali.co.uk]

Sent: 29 April 2012 19:41

To: SEB mailbox

Subject: Natural Resources Wales Consultation Document. Response by W. Roscoe Howells

Attachments: natural resources wales.doc

I am attaching my comments in relation to the above Consultation Document.

I would be most grateful if you would be kind enough to acknowledge its receipt.

Thank you,

W.Roscoe Howells

26th April 2012

NATURAL RESOURCES WALES
Welsh Government Consultation Document

Response by W. Roscoe Howells, BSc, PhD
Chartered Biologist, Fellow of the Society of Biology
Member of the Chartered Institution of Water and Environmental Management
Fellow of the Institute of Fisheries Management

Former Director of Scientific Services Welsh Water Authority

Section 2

Question 1

I very much welcome the proposal to deliver more integrated management by creating a single environmental body for Wales.

Section 2

Question 2

I am concerned about the present arrangement for the Drainage Boards, wholly or mainly in Wales, and also the environmental management of the Welsh sea fisheries and consider that they should be incorporated into the new single body.

I refer to this matter further in my response.

Section 3

Question 3

A phased approach appears reasonable and practicable in the present circumstances.

Section 5

Question 6

Tables 1 to 3 appear generally comprehensive. I am, however, concerned about two matters as follows:-

1. In regard to the managing of water resources in Wales, I see no specific reference to the monitoring of the effects of river impoundments and abstractions on the water environment in relation to quality, fisheries and other riparian and estuarial life.
2. As mentioned previously I am also concerned about the absence of any reference to sea fisheries management and I refer to this further in some detail under Question 7.

Section 5

Question 7

5.3.3. Wildlife Licensing

I accept that badger protection is a “sensitive” issue but the performance of the last Welsh Government in relation to badger culling was not, in my view, acceptable. Decisions must be based on science and not “politics”. I am delighted to see that the present Welsh Government has adopted this approach.

5.3.5. Sea Fisheries

In my view, the integrated environmental management of the marine environment and sea fisheries is essential.

During my period as Director of Science of Welsh Water Authority, I served as a member of the South Wales Sea Fisheries Committee and it became clear to me that the lack of comprehensive management caused serious problems. An example then was a proposal (not based on science) to cull Oyster Catchers in the Loughor estuary to promote the cockle population. This cull was started but soon abandoned under public and other pressures.

Another example is much more recent. That is the decline in the cockle population in the Loughor estuary. This now appears to be mainly due to infestation by a parasitic protozoan and not to water quality problems.

This and many other aspects of marine and estuarial environments underline the importance of an integrated approach. I think that further consideration should be given to this.

5.5. Internal Drainage Boards

I agree with this proposal.

Other Matters

1. Possible conflicts of Interest

This matter is referred to in Section 2.4 – Stakeholder Concern and also in Section 6.

Consideration should be given at an early stage to issues or areas where the interests of the three bodies could be conflicting. One possible example would be where the acidification of bodies of water by acid rain could be exacerbated by coniferous planting. Another area of possible conflict could be the environmental damage to rivers and streams caused by flood protection works and other land drainage schemes. There are many other areas of work which could fall within this category.

I am particularly interested in these problems, as in 1974, I was involved in the setting up of the former Welsh Water Authority which brought into one body very many functions including water supply, water conservation, sewerage and sewage disposal, water pollution control, fisheries management and many matters relating to environmental protection of the riparian estuarine and marine environments. Welsh Water, at the outset, recognised this potentially difficult problem of conflicting interests and took appropriate steps when setting up the new structure.

2. Laboratory Services

It is obvious that the new organisation will need to have its own efficient and cost effective laboratory. The setting up of an entirely new laboratory would be very costly and, in fact, totally unnecessary as the Environment Agency already has its own laboratory in Llanelli. This laboratory now has a very positive international reputation in the environmental field and, in future, could, no doubt, deal efficiently with other Welsh problems if taken into the new body.

I was responsible for setting up this laboratory in 1957 when it served the newly formed South West Wales River Board. In the following years, it expanded considerably serving the successors to the River Board.

I worked at the laboratory until 1973 when I was appointed Director of Scientific Services of the newly set up Welsh Water Authority with responsibility, inter alia, for all the water laboratories in Wales as well as two in England. On the privatisation of the water authorities, the Llanelli Laboratory was transferred to the National Rivers Authority and subsequently, the Environment Agency. A few years ago, the functions of the Laboratory were significantly changed by the EA NLS. This was done in spite of much opposition in Wales. I know from discussions with former colleagues that the then Environment Minister at WAG supported them during a difficult period when central management in England wished to make wholesale changes. I fear that this may happen again if this Laboratory is retained within the National Laboratory Service of the EA. In fact, I am aware that the General Manager of the NLS has announced to staff that if the Llanelli Laboratory is retained within the National Laboratory Service of the EA, it will be closed down.

I, therefore, feel sure that the new integrated body should have its own laboratory service in Wales and that the Llanelli Laboratory should be transferred from the EA National Laboratory Service to the new Welsh body.

From my experience of laboratory management, it is essential to engage all key groups when setting up the laboratory. In this case, it is especially important for Wales and a new single body that we ensure that the laboratory function is as effective as possible. I, therefore, trust that a thorough and balanced input is sought by the Welsh Government during this process. It would be an enormous mistake for the detailed decisions relating to the setting up of the Welsh Laboratory Service to be decided by the current National Laboratory Service of the Environment Agency. After all, two of the bodies incorporated into the new body, that is the Countryside Council for Wales and the Forestry Commission

have no statutory involvement with the National Laboratory Service of the Environment Agency. All decisions with regard to the setting up of the new laboratory should be taken in Wales.

If any further information or views are required of me, please do not hesitate to contact me as follows :-

9 Harries Avenue,
Llanelli,
SA15 3LF
Tel. No. 01554 773438

From: Nic Massey [nic_e_massey@hotmail.com]

Sent: 29 April 2012 20:36

To: SEB mailbox

Subject: Response for unified authority

Attachments: Unified body- FWA Response.pdf

Carrie Moss,

Please find attached the formal response to the proposed unified authority from the Welsh Federation of Angling.

I would be grateful for an acknowledge confirming receipt of this document.

Nick Massey

Company Secretary

Federation of Welsh Angling (Angling Cymru)



Federation of Welsh Anglers



Company Address:-
17 Gilbert Street
Holyhead
Anglesey
LL65 2NR

Telephone: 01407 761055 Mobile:- 07748701326
Email:- Nic_E_Massey@Hotmail.Com

29th April 2012

Mr John Griffiths AM
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Minister John Griffiths AM

Formal Response to Welsh Government Public Consultation on Natural Resources Wales

The Federation of Welsh Anglers represents the three Governing Bodies of Angling in Wales, Welsh Federation of Sea Anglers, Welsh Federation of Coarse Anglers and Welsh Salmon & Trout Angling Association we became the unified umbrella body controlling angling in Wales in 2005.

We were sent a copy of the formal response put forward by the FERAC committee and broadly wish to give it, subject to some reservations, our support.

The consultation document is short on detail about how certain aspects of the proposals will be translated into practice; we feel that it has highlighted the vital importance of achieving the correct balance between the potentially conflicting demands for economic growth and development with the effective management and regulation of our natural environment. This balance will be critically important if the New Body is to command the confidence, trust and support of its many stakeholders and the general public. One of our reservations is the absence of any meaningful direction on the transfer of the Fisheries Function to the New Body, even though it has also identified several matters of particular interest and concern to fisheries and angling interests throughout Wales. In this respect, we strongly support the following key points identified in the FERAC Wales response: -

1. The structure of the Board of the New Body should include a suitable member with a clear and explicit remit to represent fisheries and angling interests. This is most important given the amount of money Angling brings into the economy and the number of jobs it supports. It should also be remembered that anglers are the

people most involved in the environment whether it is through their Angling Associations, Rivers Trusts, or local, National Committees.

2. We understand that the proposal is to disband the FERAC committee. This is only acceptable if there is a similar more effective way put forward to engage with Fishery and angling interests as well as the wider community at a local and national level. FERAC has done sterling service in the past and if it is now showing signs of not functioning then this may be down to the appointment of membership and direction rather than FERAC itself. It is not clear if it is intended to abolish other committees such as the National Access forums. There must be built into the new body at a very early stage a framework for open consultation, this will be essential for the New Body to have any credibility. We say this as there were many decisions made when the Environment Agency was formed after the NRA that led to a severe downgrading of services. We would envisage that a reform of the Local fishery Groups would, if done correctly, help to achieve this. Members? (Care should be taken to Appoint people for their knowledge and not politics) of the Local fishery Groups or of a National group that would meet say twice a year to be appraised on ongoing policy and other necessary matters. Some may say that committees have not been effective in the past this can be down to the fact that at times they are not given sufficient information and time, and items when presented are a fait accompli.
3. There will be much expense and work in the next ten years on conforming to the Water Framework directive. Much of the failures on water bodies from this directive relate to fish and in particular Salmon. Wales is already a tourist destination for fishing and we need to keep this momentum going. It is also acknowledged for its country side, sea coast and marine life. The new Body must from day one protect this, even if it means bringing in new legislation to protect our fisheries. It must protect both our Inland and marine fisheries and the best way we see to do this, is to have a combined force of personnel dedicated to this work. The recent consultation on the drafting of the Sea Fishing order is a step in the right direction but the New Body will need to have sufficient resources to monitor and protect our fishing to the outer limits. In relation to this, there are proposals for new Marine Protection Zones. There would be no point in proposing these zones if there is neither will or means to make sure they are fully protected.
4. Inappropriate land use from urban to rural areas is damaging our water environments, be it from farm land and diffuse pollution, to the general mismanagement of building and other sites adjacent to water courses. We hope that the new body will be proactive in advising the Welsh Government on these matters and in turn that the Government then make the necessary resources available to tackle the problem. Failure to do so will make complying with the Water Framework Directive difficult to implement.
5. Many essential functions of Environment Agency have been centralised in England. Functions such as the Live Fish Movement centre at Brampton, the National Coarse

fish breeding unit at Calverton, the National Rod Licence Centre, and The Scientific Laboratory are all based in England.

Wales currently benefits from the wealth of expertise and knowledge within these functions, let us hope that this will remain and continue, at the same time allowing the New Body to commission its own facilities and centres of excellence to support Welsh Fishery needs.

6. The Value of our fresh Water Coarse fisheries, excluding the value of the Salmon and Sea trout fisheries is circa £75m. Due to the way Angling and Fishing is managed in Wales the custodians are in the main, the Anglers. In some cases they have been lucky to purchase fishing rights, ensuring the fishing for future generations of Anglers and visitors in Wales. Other waters are leased at great expense. The previous body, the Environment Agency Wales had a statutory remit to improve maintain and promote fisheries. Countryside Council also had similar duties. Let us hope that these statutory duties are not lost in the formation of the New Body.
7. The earlier name of the Body was the New Environmental Body. We preferred this as it did enforce the message that the Environment will be central to its work.
8. We are concerned that the inclusion of Forestry Commission in the New Body will introduce an element to it that would unlike the other two be more prone to causing pollution. This will need to be managed with protocols at a very early stage if the New Body is to be a model for protecting the environment.
9. The Welsh Government is making a brave step in forming a New Body it will need to have all the legislation needed to protect Wales's natural Assets its Coastline, Countryside and Water environment. As all these are integral it is imperative that the new Body is given the function to police and protect them from the tops of the mountains to the Seaward limit.

I would be grateful if you would acknowledge the receipt of this document.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Nick Massey', is written over a light blue rectangular background.

Nick Massey
Company Secretary
Federation of Welsh Anglers

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

Sent: 29 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:

Councillor Sian Nicola Assiratti

Organisation (if applicable):

RCT

Email / telephone number:

s_assiratti@yahoo.co.uk/07985458054

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 linking both questions 1 and 2 together: More attention could have been paid to explore similar practices in other countries. It seems that in the past, the post of the Secretary of State for Wales and Northern Ireland were combined, however there has been very little analysis of the Northern Ireland concept of 2 Executive Agencies--The Forestry Service and the River Agency--both within the Department of Agriculture and Rural Development. The Environment Agency meanwhile has responsibility for functions such as Environmental Protection, the Built Heritage and the Natural Heritage. It seems this consultation has missed an opportunity to consider adding CADW to the 3 bodies, and my suggestion is that a similar exercise to the one already carried out is undertaken to amalgamate CADW into the new Single Body with the consequent additional savings that would follow.

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- now that a template has been developed for the merger of 3 or 4 bodies[if Cadw is included], the time is ripe to grasp the nettle of local government reform rather than tickling with the Simpson Compact. For a population of around 3 million people and in a time of recession, it isn't credible for a Welsh Government that argues in favour of merging bodies to save money, and to avoid duplication[amongst other things] to permit the continuation of a system that has 22 Chief Directors; 22 Directors of Education; 22 Directors of Social Services; 22 Directors of Environment and Planning etc. The First Minister is fond of quoting Aneurin Bevan: " The language of

priorities is the religion of socialism". Let's have a spot of religion from him!!!!!!!

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: Ray Lockyer [ray@cwmtawe.co.uk]

Sent: 30 April 2012 07:16

To: SEB mailbox

Subject: Public Consultation on 'Natural Resources Wales' - F.A.O. Carrie Moss

Attachments: PASAS12-04-45.docx

PONTARDAWE & SWANSEA ANGLING SOCIETY Ltd,

Please find attached response to Welsh Government's Public Consultation on 'Natural Resources Wales'

Regards

Ray Lockyer

Director, Life President & Secretary

Dear Ms Moss,

Formal Response to Welsh Government's Public Consultation on 'Natural Resources Wales'.

From: R.H.Lockyer, Director & Secretary of Pontardawe & Swansea Angling Society Ltd.

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?

Response:

There is a some cautious support for the proposal to form a single environmental body for Wales and the success of the New Body will largely depend on the effort and guidance invested in establishing a healthy working relationship within its three principle stakeholders (CCW, EA, FCW).

From a general public perspective the success of the proposal is something that will be assessed on delivery against an initial expectation that it will produce long term benefits for the environment as a whole. Success will not be judged on shorter term political pressures to provide unsustainable business and economic benefits.

The consultation document contains framework information but is very short on detail regarding how certain aspects of the proposals will be translated into practice and this lack of detail is giving rise to many concerns. An example from a fisheries perspective is the document fails to spell out how cross border specialists services will be addressed and provided, as currently much of the EA Wales fisheries technical support and expertise is located in England at the EA Brampton Laboratories. Our conclusion therefore is the proposal hasn't been adequately thought through before publication.

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?

Response:

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 all three of these sectors were effectively engaged during the evolution of the proposal and business case.

In addition to this reading this consultation document, we have also read the National Assembly for Wales, Environment and Sustainability Committee Report "the business case for a single environment body" and the consultation document "Sustaining a Living Wales - A Green Paper on a new approach to natural resource management in Wales"; we now have grave concerns that the Forestry Commission is having undue influence on the outcome of the proposal to form a New Body and on the apparent changed emphasis being given to promoting economic growth at the expense of preservation of our natural landscape.

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 of the documents in any significant context.

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

Response:

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.

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

Response:

The section contains insufficient detail to allow for meaning full comment; but it is noted that Annex 1 Strategic Delivery Needs' omits reference to the *Wales Fisheries Strategy*.

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

Response:

The section contains insufficient detail to allow for meaning full comment

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

Response:

We see considerable benefit from a much closer working relationship with third parties, such as Rivers Trusts 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 infra-structure improvement (SPLASH) projects, angling participation, management of local nature reserves).

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').

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 fishery) catches of salmon and sea trout

and

- c) combating illegal fishing (in inland and coastal waters).

It should be noted 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).

Response:

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. afforestation, 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.

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.

Q.8: Do you agree with the proposal for co-ordination of Government Investment in Environment Research? How could we improve them?

Response:

Insufficient information or knowledge to allow comment on this section

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?

Response:

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 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.

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?

Response:

The benefits derived from effective engagement with a full range of stakeholders through more flexible arrangements is accepted; however, we believe that the New Body should have a statutory duty to establish a robust local framework for future consultation and engagement with its fisheries and angling stakeholders. Without such a statutory requirement there will, almost certainly, follow a lack of robustness for any intended arrangements; care in the drafting of such a duty can ensure appropriate flexibility is incorporated into the statute.

This local arrangement can be based on Local Fishery Groups (LFG's) that currently exist within the Environment Agency (Wales) consultation procedures.

Each local group could then provide a contribution into a smaller, more focused and effective stakeholder group at a National level.

From: Tom Gravett [Tom.Gravett@conwy.gov.uk]

Sent: 30 April 2012 09:06

To: SEB mailbox

Subject: Natural Resources Wales - proposed arrangements for establishing and directing a new body for Wales' natural resources

Dear Sir / Madam,

Thank you for the opportunity to comment on this consultation document, which outlines the proposed arrangements for a new body for the management of Wales' natural resources. The response of Conwy County Borough Council is as follows:

In general terms we are supportive of the proposals as they should ensure appropriate rationalisation and streamlining of the functions of the three existing bodies, and should also ensure greater consistency and a unified focus in terms of delivering strategic objectives for Wales.

At this stage our concerns, or comments, relate purely to stakeholder engagement and delivery mechanisms, especially in respect of addressing local (as well as strategic) issues and needs. It is currently evident that there are differences in the way that the three existing bodies relate to, and work with, local authorities and, with the creation of a single strategic body, we see the potential danger of even less focus on those local issues which fall within the remit of the new body. We wish to raise awareness of that potential now, in order that mechanisms can be put in place at an early stage to provide for good and effective working relationships with local partners, including local authorities.

We would like to see the new body build on the best examples of existing relationships with local authorities, such as that with the Countryside Council for Wales (CCW) in respect of the local delivery of biodiversity, access and environmental awareness-raising objectives common to both partners. This is currently achieved through a long-standing grant aid programme administered by CCW, whereby CCW's strategic objectives are delivered at a local level in ways which acknowledge and incorporate local priorities and opportunities. We would very much hope that similar partnership arrangements with local authorities would continue as part of the new body's functions.

It is the case that some local regulatory issues currently receive little priority or attention from the existing bodies, and communication with the local authority can be poor. In other cases, such as in respect of data sets relating to coastal planning, it currently appears that there is a reluctance to incorporate a degree of flexibility in order to accommodate local needs and projects.

Section 4.3 of the consultation document ("Our Ambition") includes the statement: "... we expect the new body to assimilate and blend the best from the three existing bodies to give us a delivery focused, flexible, informed and innovative organisation that quickly becomes established and respected by the people of Wales". We suggest that taking account of, and responding to, local need is a key aspect of ensuring success in this area. Section 6.5 (Stakeholder engagement proposals") refers to the provision for the board of the body to run local committees. As well as the development of good working relationships between staff in the new body and local authorities, such local committees may be valuable in identification of key local issues and, hence, prioritisation of resources.

We are grateful for the opportunity to comment, and hope that the above will be considered further in the development of the new body's delivery mechanisms and processes.

Yours faithfully,

Tom Gravett
Rheolwr Cefn Gwlad a Hawliau Tramwy /

Countryside and Rights of Way Manager
Gwasanaethau Priffyrdd ac Isadeiledd / Highways and Infrastructure Services
Cyngor Bwrdeistref Sirol CONWY County Borough Council
E-Bost / E-Mail: tom.gravett@conwy.gov.uk
Gwe / Web: www.conwy.gov.uk/countryside
Ffôn / Tel: 01492 575205

Mae'r neges e-bost hon ac unrhyw ymgysylltiadau yn gyfrinachol, ac wedi eu bwriadu ar gyfer yr un sy'n cael ei h/enwi yn unig. Gallent gynnwys gwybodaeth freintiedig. Ar gyfer yr amodau llawn ynglŷn â chynnwys a defnyddio'r neges e-bost hon ac unrhyw atodiadau, gweler www.conwy.gov.uk/ebost_ymwadiad

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From: Jacqui Malpas [geodiversitywales@gmail.com]

Sent: 30 April 2012 10:04

To: SEB mailbox

Cc: keithandkaren@tiscali.co.uk; Chirs Twigg; Colin Legg; Cynthia Burek; Gary Nancarrow; John Underwood; Keith Nicholls; Paul Day; Peter Appleton; Phil Thompson; Ray Humphreys; Raymond Roberts; Sonia Williams; Vicki Artell; Wendy Owens

Subject: NEWRIGS response to SEB consultation

Attachments: NEWRIGS Response to Natural Resources Wales.pdf

Good morning

I am please to attach NEWRIGS' comments on the Natural Resources Wales
Welsh Government Consultation Document

Regards

Jacqui Malpas

--

Jacqui Malpas BSc, PhD, FGS

Chair NEWRIGS

Mobile: 07821625777

geodiversitywales@gmail.com



May 1st, 2012

Natural Resources Wales Welsh Government Consultation Document

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

Comments from North East Wales Regionally Important Geodiversity Sites Group

NEWRIGS was set up in 1993 as part of the Clwyd RIGS group to address the task set by the Countryside Council for Wales (CCW) of selecting and conserving Earth heritage sites outside the existing SSSI and GeoConservation Review (GCR) framework sites of geological and geomorphological interest. These sites were to complement the growing number of geological SSSIs and the GCR then being undertaken by the Nature Conservancy Council of the UK, which included CCW, English Nature (now Natural England) and Scottish Natural Heritage (SNH).

The aims of the RIGS Groups: to identify, survey, document and conserve RIGS in Wales; to promote the establishment and protection of RIGS for future generations; to promote interest and raise awareness in geological conservation.

Since 1993 geoconservation work continued and since 2003, the appropriate RIGS groups have undertaken an All-Wales RIGS audit funded by the Welsh Assembly Government. This was completed in 2012 and there is now an All-Wales database of RIGS to complement the geological SSSIs.

These sites are an unique record of the important geological sites in Wales and are of inestimable importance to the people of Wales. They contribute to the greater understanding and enjoyment of the geology, landscape and heritage of Wales and its underpinning geodiversity. The conservation of these sites and their context within the wider landscape is of vital importance.

Consultation Response

NEWRIGS welcomes the opportunity to comment on the Natural Resources Wales Consultation Document and has outlined more specific comments below. However, we would like to highlight two main concerns:

- The dilution of geodiversity within the document, especially geoconservation and geomorphology
- The natural resources of Wales cannot be managed without a sound and extensive understanding of those resources, which fundamentally must include geology and geomorphology

Section 1: Background

1.1 Sustaining a Living Wales

The definition of an ecosystem in this consultation appears to have been considerably narrowed to the biotic environment. The definition of an ecosystem in the 'Definitions Paper' which accompanies the 'Sustaining a Living Wales' consultation, refers to a wide-range of abiotic components. This provides a better overview of an ecosystem where the critical role of geodiversity is accepted. Without explicit inclusion of the abiotic environment, acting as an integral part of an ecosystem, the new body risks having a limited view of the natural environment. The abiotic environment, the geodiversity, underpins the biotic environment. It is important that the correct definition of an ecosystem is used consistently by the Welsh Government.

The concept used in this document is different to that used in 'Sustaining a Living Wales' Green Paper definitions: An ecosystem is a dynamic complex of organisms (plants, animals and micro-organisms) and their *physical environment* (my italics) interacting as a functional unit. (adapted from CBD (1992) Article 2 and MA).

The diagram on page 5 of 'Sustaining a Living Wales' places geodiversity as an essential supporting service, which interacts with the regulating, cultural and provisioning services.

Bringing together a range of measures:

- Simplifying the institutional arrangements to give a more 'joined up way of working'
- Modernising and simplifying our regulatory and management framework
- Piloting ecosystem-based local resource management planning and developing proposals for national spatial planning for the protection, restoration, conservation, use and management of the environment is welcomed. Piloting this way of working would be an opportunity to highlight the role of geodiversity in a truly holistic approach to the Ecosystems Approach. The role of conservation should also be a key component of this new approach. NEWRIGS could have role to play in contributing to the development of this approach by working together with the geologists in the new Single Body and other key partners in the statutory, voluntary and commercial sectors.
- Developing an integrated system where protection, monitoring & development of geodiversity sites, whether they be RIGS, SSSI, international or local, would make sense, harnessing the limited resources of statutory agencies and voluntary partnerships together.

These are, of course desirable, but this is dependent on a sound, integrated understanding of both the abiotic and biotic environment and the application of that knowledge to the management, sustainable development and conservation of that environment.

Section 2: What is the case for change

Question 1: Views

- Integrated management of the environment by combining the 3 bodies is desirable to produce a holistic approach to environmental conservation, health and sustainable development

Question 2: Concerns

- NEWRIGS has substantial concerns with respect to the place of Earth Science and geodiversity within the Single Body. Earth Science, geology and geodiversity are not mentioned within the document, whereas biodiversity features 18 times.
- Currently there are only 3 Earth scientists compared to 6 Earth scientists 3-4 years ago. CCW has played a critical role in driving forward geoconservation in Wales and CCW geologists have worked closely with NEWRIGS on a wide-range of projects in CCW.
 - The impacts of climate change can only be evaluated with a scientific understanding of how the landscape and geodiversity will respond to warming or cooling, sea-level change, increases in extreme weather events etc.
 - Flood and coastal erosion risk cannot be understood, and thus managed or mitigated, without a fundamental understanding of the geology, geomorphology and fluvial, coastal and marine processes.
- The above gives rise to the concerns that the Earth Sciences will be subsumed beneath an overriding concern with the biotic environment.
- Wales's resources cannot be sustainably managed or developed without this fundamental understanding of our whole environment.
- NERIGS has substantial concerns as to the timescale, which is very short to achieve all the desired outcomes.

Section 3: Legal Powers

Question 3: Views

- A phased approach will ensure inclusion of important aspects of sustainable and managed development. In terms geoconservation, it will be important to build on the work of the Geological Conservation Review (GCR) [the groundbreaking survey that established Britain's enviable network of geological & geomorphological SSSIs and the WAG-sponsored RIGS surveys; also a first in terms of establishing a nationwide site coverage.

Section 4: Purpose

Question 4: Good basis? Improvement?

- The basis is sound, but NEWRIGS has concerns as to the place of geodiversity and geoconservation within the strategic outcomes. For example, on page 16 there is a reference to 'regulatory decisions must

protect air, water, soil quality and biodiversity'. There is no mention of geodiversity or landscape. Further to this, the consultation does not appear to appreciate the importance of geodiversity to the economy. For example, mineral extraction and geotourism, directly for the geology or indirectly for the landscape, and the marine sector, contribute tens of millions of pounds to the Welsh economy.

- The conservation and enhancement of ecosystems must include geosystems and the new body will need to understand the role of geodiversity otherwise it will be more difficult to achieve the outcomes listed on page 18. For example, adapting to climate change will be unsuccessful; it will be more difficult to control pollution. We may not make the best use of our natural resources e.g. limestone, coal, shale gas, oil, minerals, water etc.

Question 5: Delivery framework

- There are no objectives, success criteria or Welsh Government indicators that mention the physical environment, resources, geodiversity or any aspect of the abiotic environment. Damage to these aspects of the Welsh landscape would be irreparable.
- The lack of measurable objectives for the physical environment and resources will impact on the biodiversity. Once the geodiversity, for example a limestone pavement, has been damaged, it cannot be reinstated, unlike some biodiversity features and habitats.

Section 5: Functions

Question 6: Changes to WG functions

Table 1:

- Regulation of Industry:
No examples of the extractive industry e.g. quarrying and mining, onshore and offshore installations including 'fracking' and wind farms.
- Reducing effects of pollution:
No examples of extractive industries or the marine environment.
- Climate change and mitigation:
No examples about how the landscape will be affected by climate change; increased erosion/landslides both fluvial and coastal; vulnerability of the road & rail networks to landslides, rising sea level with respect to protected sites and the coast. Geologists will play a key role in helping the people of Wales adapt to climate change through knowledge and understanding of the geodiversity and how it will react to changing circumstances.
- Conservation... geological and *physiographic* features:
NEWRIGS realises that this is a reference to conservation legislation, but this term is not in common use in the geological and geomorphological conservation community. Geodiversity is the preferred term and is

included in 'A Living Wales' and 'Sustaining a Living Wales' documents published by the Welsh Government.

No geodiversity examples e.g. Advice and support to Regionally Important Geodiversity Sites. These sites are the geological equivalent to Local Nature Reserves.

Advice and support to the UK Geodiversity Action Plan (UKGAP) and Local Geodiversity Action Plans (LGAPs).

- Conservation, restoration and enhancement of landscape and seascapes of Wales:
Geodiversity is an integral part of the landscape of Wales and geologists have played an important role in providing advice and information to Landmap, Seascapes, AONB management plans etc. Input from geologists will continue to be important, and is likely to increase in the future.
- Improving and increasing access to, and use of, the environment for outdoor recreation:
RIGS and geological SSSIs play an important role in raising awareness of geodiversity and are a key element in getting people out into the field to see the geology first-hand. A by-product of this, is getting people to come out to the countryside, exercising and enjoying the fresh air, with its positive effects on health. Both RIGS and geological SSSI have an underpinning role in the Welsh Geoparks (Fforest Fawr & GeoMon) and the 4 AONBs in Wales and one (Wye valley that spans the border, which have a major sustainable geotourism and social well-being ethos.
- Flood and coastal erosion risk management in Wales:
No examples of the need to understand the response/vulnerability of the valley and coastal geodiversity to erosion/landslides/flooding.
- Working to prevent or remedy the effects of incidents and emergencies on people:
No examples suggesting a research into understanding of the locations that are most vulnerable due to the geodiversity especially the unconsolidated glacial and post-glacial deposits
- Encouraging sustainable use of the environment and natural resources...
No examples of the extractive industries including limestone, coal, shale gas, slate and minerals e.g. Welsh gold. Understanding the underlying bedrock will be important in making the best use of our natural resources for example, minimising waste when quarrying or mining.
- Increasing public understanding of the value of the environment and natural resources:
No examples of a greater understanding of the geodiversity and its role in underpinning the landscape; its formation; surface processes; form; function and aesthetics

Geodiversity is fundamental to understanding the landscape of Wales and its sustainable use

Geoparks (Fforest Fawr and GeoMôn), Local Geodiversity Action Plans (e.g. Clwydian Range & Anglesey), RIGS, geological SSSI and national and local nature reserves play a critical role increasing public awareness and providing educational resources (an outdoor laboratory) to satisfy the national curriculum.

No examples given of how natural resources are used in everyday lives. It is important for people to realise how material quarried in Wales and elsewhere is transformed in products we use everyday

- Providing advice to ministers or any public body...
Geological organisations such as British Geological Survey, National Museum Wales, Geodiversity Wales, Association of Welsh Regionally Important Geodiversity Sites Group (AWRG) and NEWRIGS are all in a position to offer advice to ministers or any public body...

Table 3:

- The economic, social and cultural interests...
Geological interest needs to be included as much of the industrial and cultural heritage of Wales is based on its geology. For example coal mining, steel and iron making, lead mining, slate, aggregates, building materials, archaeology e.g. Parys Mountain, Great Orme, oldest copper mine in Wales and, in the future, the possibility of shale gas and coal gasification and possibly oil.

Summary

NEWRIGS agrees with the Minister's Foreword that this is an exciting opportunity to shape how we manage our natural resources. However, the Association feels that a greater appreciation of the role of geodiversity is required. NEWRIGS would be pleased to play its part in developing the Ecosystems Approach in Wales where geodiversity is a key component. The Welsh Government is already leading the way in some aspects of this work, with geologists in other parts of the UK envious of the progress so far. NEWRIGS feels that more progress can be made and that Wales can lead the way in having a truly holistic approach to managing its natural resources.

Within Wales there is very limited pool of expertise, personnel, experience and knowledge in the geoconservation/geodiversity field. It is thus necessary to harness this small pool to work effectively together i.e. the statutory agencies with the voluntary and commercial sectors e.g. CCW (and the new Single Body), National Museum Wales, British Geological Survey, universities and NEWRIGS among others. We are concerned that geoscientists working in CCW might not find themselves working in roles currently needed within EAW to the detriment of our natural heritage?

NEWRIGS believes that management of Welsh natural resources cannot be achieved without clear knowledge and understanding of them all, including aquifers, hydrogeology, and groundwater; minerals, aggregates. The exclusion of geology

North East Wales Regionally Important Geodiversity Sites (NEWRIGS)

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07821625777

and geomorphology is of great concern but this document is very light on key areas of the natural environment; hydrocarbons, coal, minerals, erosion, flooding and wind power, are all part of geodiversity. Marine matters are only briefly touched on but we are pleased that seascape, and its conservation, are recognised. We understand that another process is looking after the marine environment. However can the marine sector be separated from the onshore sector?

NEWRIGS is aware that CCW, FCW and EAW have very few in-house geologists and related specialists who can provide the knowledge and experience of the applied science needed in ensuring sustainable economic development. In the context of societal requirements and managing the natural environment to the benefit of all, we will hope that the new body would be able to build links with other government agencies (e.g. BGS) and business.

There is a vast amount of work to do with significant and complex physical resources involved, all with potentially huge impacts, both positive and negative to the Welsh economy, society, tourism, sustainable development and related issues.

Geodiversity Wales is a new geoconservation partnership with the National Museum Wales, CCW, BGS and AWRG among others, which is exploring a wider partnership working with other geological and geoconservation organisations to increase the pool of expertise available in Wales and to provide a focus & forum for co-ordinated and concerted geodiversity & geoconservation activity. **Geodiversity Wales** is hoping to work with the Welsh Government to provide Wales with a **Geodiversity Charter**, similar to that successfully produced in Scotland for the Scottish Government.

Geodiversity and geoconservation need to be viewed as an integrated system and a fundamental part of ecosystems services, with considerable opportunities for partnership working considering the monitoring and designation of geoconservation sites including over 200 geological SSSI and over 800 Regionally Important Geodiversity Sites (RIGS).

This response has been written following consultation with, and the agreement of, the NEWRIGS executive committee.



Jacqui Malpas, BSc. PhD, FGS
Chair, NEWRIGS

From: Sam Littlechilds [samlittlechilds@yha.org.uk]
Sent: 30 April 2012 10:31
To: SEB mailbox
Subject: YHA consulation response

Attachments: NATURAL RESOURCES WALES - YHA response.docx

Please find attached YHA's (England and Wales) consultation response on:

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


Any questions or follow up, then please contact:

Sam Littlechilds

National Policy Manager
Chief Executive's Office

YHA (England & Wales)
Tel: 01629 592772 Fax: 01629 592702
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Submission prepared by:

Youth Hostels Association

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Web: www.yha.org.uk

Telephone Number: 01629 592772

Dear Sir,

NATURAL RESOURCES WALES

I submit the Youth Hostels Association response to consultation on the Proposed Arrangements for Establishing and Directing a New Body for the Management of Wales' Natural Resources.

I submit the response of YHA to the Welsh Government's consultation document. YHA is a charity with a clear mission: to inspire all, especially young people, to broaden their horizons gaining knowledge and independence through new experiences of adventure and discovery. YHA's charitable object is "To help all, especially young people of limited means, to a greater knowledge, love and care of the countryside, and appreciation of the cultural values of towns and cities, particularly by providing Youth Hostels or other accommodation for them in their travels, and thus to promote their health, recreation and education"

YHA has 30 Youth Hostels in Wales 16 of which are situated in a National Park and another three in Areas of Outstanding Natural Beauty.

What are your views on our proposal to deliver a more integrated management by bringing the three bodies (Countryside Council, Forestry Commission and Environment Agency) together and creating a single environment body for Wales?

YHA welcomes the proposal to deliver more integrated management by the creation of a single environmental body for Wales. This should result in a coordinated approach to the positive management of the Welsh environment and also the protection of the Welsh countryside that attracts many visitors, especially young people, to the Youth hostels in Wales.

YHA has appreciated the advice assistance and financial aid it has received, especially from the Countryside Council, from the three statutory bodies since their inception post devolution. YHA is a signatory to the 'Environmental Compact' between voluntary bodies and the three statutory bodies and trusts that this concordat will continue with the new single environmental body.

YHA considers it important that the new body continues to support countryside education especially for protection, interpretation and health benefits. YHA has partnership working with the Countryside Council for Wales especially in providing support for the electronic transmission of information to Youth Hostels. We appreciate this assistance and wish it to continue. YHA is also a member of the

Wales Access Forum supported by CCW and we request that this Forum continues to operate with support from the new body.

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?

YHA has had to meet the challenge of increased regulation in all aspects of its activities ranging from food preparation and fire precautions to child protection and planning regulations. A one stop shop for environmental regulation should be able to consolidate regulations and encourage developments. It will be important to have clearly defined points of contact.

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

YHA has developed a good working relationship with staff working in the three statutory bodies especially with CCW. It is important to YHA that these relationships are maintained and enhanced rather than having the need to develop new points of contact. A clear operational structure is essential so that the transition can be seamless and effective. It is important that members of staff are or become quickly well informed with regard to the organisations in which they are in contact.

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

There is a need to work closely with Visit Wales and tourist operators in Wales. The new body should ensure the protection of Welsh heritage including the protection of sites of special scientific importance and geological importance

The new body should contribute to the promotion of environmental, social and economic benefits, encourage outdoor recreation and improve and protect public health and safety.

What are your views on the approach to the delivery framework?

It is important that the framework considers all aspects of countryside use for environmental, social and economic benefits. The protection of the countryside and the enhancement of biodiversity are essential for the enjoyment of the Wales' environment by residents and visitors. An attractive well maintained environments brings economic and health benefits.

How are the functions described in tables 1 to 3 (pages 38-43) a reasonable summary of those required? How can they be improved?

YHA provides facilities at many of its hostels for outdoor environmental and activity programmes especially for young people. We fully support the function of increasing public understanding of the value of the environment and natural resources of Wales and the importance of sustainable use. The new body should lead in environmental education and give positive support to the work of voluntary organisations that are engaged in supportive work.

YHA is providing residential facilities for the Mosaic project which is being lead by the Campaign for National Parks and commences this year in Wales after successful outcomes in England. This project should be an example to the new body of positive social and environmental work with deprived ethnic groups.

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 support the proposals.

Do you agree with the proposals for the coordination of Welsh Government investment in environmental research? How could we improve them?

We support the proposals.

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

The body must have the independence to be able to effectively carry out its regulatory functions.

Have you any views on the approach we propose for the new body in relation to its stakeholder arrangements? (Section 6.5) How might we improve the approach?

The well being of the Welsh environment is of fundamental importance to YHA to ensure that it can maintain its' aims and object in Wales. YHA considers itself to be a major nongovernmental stakeholder and wishes to fully engage with the new body where appropriate. We consider that the new body should consider ways of positively enabling such engagement to take place including the maintaining those points of engagement with YHA that are already in place.

What are your views on the aspects of the regulatory arrangements?

The effects of cross border (international) regulation or lack of regulation must be recognised.

Are there any related issues which we have not specifically addressed?

YHA supports the views of Wales Environment link (of which YHA is a member) which comments in more detail on the relationship between the 'Living Wales' proposals and the ' Natural Environment Framework'. YHA considers that the NEF along with improved public education are the main pillars of the strategy to create a Single Body. Sustainable Development must be clearly defined and SD policies developed and implemented. YHA is a leader in sustainable tourism.

Yours faithfully,

Sam Littlechilds

National Policy Manager

samlittlechilds@yha.org.uk

YHA Trevelyan House, Dimple Road, Matlock, Derbyshire, DE4 3YH
Company No. 282555 Reg. Charity No. 306122

From: Pugh, J Lorraine (Scrutiny & Committee) [JLPugh@valeofglamorgan.gov.uk]

Sent: 30 April 2012 10:35

To: SEB mailbox

Subject: Single body cons (2)

Attachments: Single body cons (2).doc

Please find attached the comments of the Vale of Glamorgan Local Access Forum in respect of the Single Body consultation.

Lorraine Pugh
Scrutiny and Committee Services Officer
Democratic Services
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Visit our Website at www.valeofglamorgan.gov.uk
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COMMENTS FROM THE VALE OF GLAMORGAN LOCAL ACCESS FORUM ON THE CONSULTATION DOCUMENT "NATURAL RESOURCES WALES"

The Vale of Glamorgan Local Access Forum welcomes the opportunity to comment on this consultation paper, which was issued on 9 February 2012. The function of the Forum is to advise the Local Authority, CCW & others, as to the improvement of public access to land in the area for the purposes of open-air recreation & the enjoyment of the area.

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

We fully agree with the repeated references to maintaining and improving Wales' environmental assets, and not squandering finite environmental resources. Some of our comments relate to points in the paper where we feel that this crucial requirement has not been met.

We agree in principle with the thesis that a single organisation could be more efficient and would have a more complete agenda – but we doubt whether it would be "better focussed", as claimed on page 8 of the paper; we believe that **there is a serious risk that it would be such a massive and amorphous organisation that it would be unable to devote sufficient priority or resources to all parts of its remit**. This is a particular concern in respect of issues such as public access and recreation, which may be regarded by some as being peripheral to the new body's "core" agenda.

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 find it surprising that the section on stakeholder concerns (pp 10-11) doesn't refer to any concerns voiced by environmental or outdoor recreation bodies.

We note the claim (p11) that developing an ecosystem approach would put Wales at the forefront of such work globally, but we consider it **unlikely that such development would be significant for some years to come, since the single body would inevitably be distracted by internal organisational issues**. We believe that **it is a major risk to contemplate such massive organisational change at the same time as implementing a very significant change in policy**.

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 feel that the proposed aim of the body (“To maintain, improve and develop Wales’ natural resources, to deliver benefit to the people and economy of Wales now and into the future”) is broadly appropriate.

We note that the strategic outcomes underlying the proposed aim include the promotion of outdoor recreation but feel that **there should be a specific reference to maintaining and improving public access in all its forms**. This should include as a minimum the promotion of walking, cycling, horse riding and (in appropriate locations) off-road driving, and a clear link should be made to the contribution of most forms of public access enhancement to achievement of objectives for improved public health and well-being.

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

We fail to understand why it is necessary to complement the annual remit letter and detailed financial memorandum with yet more detailed guidance – **there is a clear risk that the Welsh Government will inevitably be drawn into micro-management of the new organisation, and that its guidance will consequently be too detailed and prescriptive, rather than allowing the new organisation the freedom to operate flexibly within broad parameters**.

Question 7 – What are your views on our proposals for changes to Welsh government functions? How could these be improved?

While we fully recognise that transferring the implementation of Glastir to the new body would require very careful management, given the scale of the operation, it defies logic to rule out such a transfer (p25). There are no conflicts of interest involved (as compared, say, with wildlife licensing) and we believe that **in order to achieve the appropriate division between policy and operational issues, there is a compelling case for the operation of the Glastir scheme to be handled by the new body**. We would in any case expect to see the public access element of Glastir being given due weight in assessing applications and allocating resources under the scheme.

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 strongly support the statement in section 6.1 of the consultation paper that the Board of the new body would be “independent of the Welsh Government in its decisions and the delivery of its work”. We regard such independence as crucial since unless the new body is seen to be clearly independent it will not win wide acceptance. In our view this reinforces the point we make above in response to Question 5: the new body needs to be able to operate flexibly and without being fettered with too prescriptive an approach from Government, which would lead to micro-management

and a loss of confidence from the environmental sector in the ability of the new body to operate freely and effectively.

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

The repeated references (pp 32-34) to making appropriate arrangements to ensure that self-regulation is satisfactory are not wholly convincing, although we accept that there may be little alternative to making such arrangements. We do, however, support the concept that regulatory functions should be clearly separated from operational activity.

Table 1

We find it extremely surprising, given its imminent launch and high profile, that **there is no reference to marketing and maintaining the all-Wales Coast Path in the section on improving and increasing access for outdoor recreation in Table 1**. Completion of the path represents a superb opportunity to achieve public health and well-being benefits, and to act as a catalyst for the maintenance and enhancement of the wider public rights of way network.

Annex 2

In making the case for change, the Annex refers to net savings of around £68 million in ten years. In itself this is a trivial amount which hardly justifies the short-term disruption which is inevitable, but we find it disturbing that while it is stated on p57 that “We intend to reinvest these savings in improving our environment ...” there is a worrying reference on p56 to “reinvestment of some of the savings ...” [our emphasis]. We feel that **it is essential that there is a clear commitment to reinvesting all of the savings on environmental improvements.**

From: Cheryl Bulman [cheryl.bulman@sky.com]

Sent: 30 April 2012 11:13

To: SEB mailbox

Subject: Consultation Response Natural resources Wales

Attachments: CONSULTATION EA,FC,CCW tregaron response.docx

For the attention of Carrie Moss

Please find attached consultation response from CPTAA

Regards

Cheryl Bulman
Secretary CPTAA

RESPONSE TO “NATURAL RESOURCES WALES” PUBLIC CONSULTATION DOCUMENT.

Copies of the full consultation document (*Natural Resources Wales*) can be downloaded from www.wales.gov.uk.

Deadline for replies = 2nd May 2012. Either by e-mail to SEB@wales.gsi.gov.uk or by post to Carrie Moss, Living Wales Programme Team, Department for Environment and Sustainable Development, Welsh Government, Cathays Park, Cardiff CF10 3NQ

Dear Minister,

Formal Response to Welsh Government Public Consultation on ‘Natural Resources Wales’.

CYMDEITHAS PYSGOTA TREGARON ANGLING ASSOCIATION

We wish to record our support for the formal response submitted by the statutory Fisheries, Ecology & Recreation Advisory Committee for Wales (FERAC Wales) to the above consultation document setting out the proposed arrangements for establishing and directing a New Body for the management of Wales’ Natural Resources’.

Although the consultation document is short on detail about how certain aspects of the proposals will be translated into practice, we feel that it has highlighted the vital importance of achieving the correct balance between the potentially conflicting demands for economic growth and development with the effective management and regulation of our natural environment. This balance will be critically important if the New Body is to command the confidence, trust and support of its many stakeholders and the general public.

It has also identified several matters of particular interest and concern to fisheries and angling interests throughout Wales. In this respect, we strongly support the following key points identified in the FERAC Wales response: -

1. The structure of the Board of the New Body should include a suitable member with a clear and explicit remit to represent fisheries and angling interests.
2. The proposed abolition of FERAC Wales as a statutory advisory committee is only acceptable if it is replaced by more effective alternative arrangements for future stakeholder engagement with fishery and angling interests at a local and national level. We fully endorse the FERAC proposal that the New Body should have a statutory duty to establish a framework for future consultation and engagement with its key stakeholders (including fisheries) and that this framework should be approved and periodically reviewed by Welsh Ministers. We would wish to see the seven existing Local Fishery Groups used as a platform for building these future consultative arrangements at a local level. We also see the need for an Inland Fishery Stakeholder Group to serve as a national focus on strategic matters.
3. We attach considerable importance to integrating the future responsibility for sea fisheries regulation, enforcement and monitoring within the new Body.
4. We consider it vital that the New Body should be more influential in helping Welsh Government to develop future land-use management strategies and more directly involved in the implementation of such strategies.
5. We consider it essential that the New Body should be in a position to commission its own research and investigations in connection with the more efficient and effective discharge of its routine operational functions.

Yours sincerely,

Cheryl Bulman

On behalf of Cymdeithas Pysgota Tregaron Angling Association

From: Jacqui Malpas [geodiversitywales@gmail.com]

Sent: 30 April 2012 11:22

To: SEB mailbox

Subject: AWRG response to Welsh Government Natural Resources Wales Consultation Document

Attachments: AWRG Response to Natural Resources Wales.pdf

Good morning

I am pleased to attach the AWRG response to the above consultation

Regards

Jacqui Malpas

--

Jacqui Malpas BSc, PhD, FGS

Chair AWRG

Mobile: 07821625777

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May 1st 2012

Natural Resources Wales Welsh Government Consultation Document

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

Response from Association of Welsh RIGS Groups (AWRG)

AWRG was set up in 1999 to support Regionally Important Geodiversity Sites (RIGS) Groups. The aims of the RIGS Groups: to identify, survey, document and conserve RIGS in Wales; to promote the establishment and protection of RIGS for future generations; to promote interest and raise awareness in geological conservation.

Over the last 9 years, the appropriate RIGS groups have undertaken an All-Wales RIGS audit funded by the Welsh Assembly Government. This was completed in April 2012 and there is now an All-Wales database of RIGS to complement the geological SSSIs.

These sites are an unique record of the important geological sites in Wales and are of inestimable importance to the people of Wales. They contribute to the greater understanding and enjoyment of the geology, landscape and heritage of Wales and its underpinning geodiversity. The conservation of these sites and their context within the wider landscape is of vital importance.

Consultation Response

The AWRG welcomes the opportunity to comment on the Natural Resources Wales Consultation Document and has outlined more specific comments below. However, we would like to highlight two main concerns:

- The dilution of geodiversity within the document, especially geoconservation and geomorphology
- The natural resources of Wales cannot be managed without a sound and extensive understanding of those resources, which fundamentally must include geology and geomorphology

Section 1: Background

1.1 Sustaining a Living Wales

The definition of an ecosystem in this consultation appears to have been considerably narrowed to the biotic environment. The definition of an ecosystem in the 'Definitions Paper', which accompanies the 'Sustaining a Living Wales' consultation, refers to a wide-range of abiotic components. This provides a better overview of an ecosystem where the critical role of geodiversity is accepted. Without explicit inclusion of the abiotic environment, acting as an integral part of an ecosystem, the new body risks having a limited view of the natural environment. The abiotic environment, the geodiversity, underpins the biotic environment. It is important that the Welsh Government uses the correct definition of an ecosystem and it is used consistently.



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The concept used in this document is different to that used in 'Sustaining a Living Wales' Green Paper definitions: An ecosystem is a dynamic complex of organisms (plants, animals and micro-organisms) and their *physical environment* (my italics) interacting as a functional unit. (adapted from CBD (1992) Article 2 and MA).

The diagram on page 5 of 'Sustaining a Living Wales' places geodiversity as an essential supporting service, which interacts with the regulating, cultural and provisioning services.

Bringing together a range of measures:

- Simplifying the institutional arrangements to give a more 'joined up way of working'
- Modernising and simplifying our regulatory and management framework
- Piloting ecosystem-based local resource management planning and developing proposals for national spatial planning for the protection, restoration, conservation, use and management of the environment is welcomed.
- Piloting this way of working would be an opportunity to highlight the role of geodiversity in a truly holistic approach to the Ecosystems Approach. The role of conservation should also be a key component of this new approach. AWRG could have role to play in contributing to the development of this approach by working together with the geologists in the new Single Body and other key partners in the statutory, voluntary and commercial sectors.
- Developing an integrated system where protection, monitoring & development of geodiversity sites, whether they be RIGS, SSSI, international or local, would make sense; harnessing the limited resources of statutory agencies and voluntary partnerships together.

These are, of course desirable, but this is dependent on a sound, integrated understanding of both the abiotic and biotic environment and the application of that knowledge to the management, sustainable development and conservation of that environment.

Section 2: What is the case for change

Question 1: Views

- Integrated management of the environment by combining the 3 bodies is desirable to produce a holistic approach to environmental conservation, health and sustainable development.

Question 2: Concerns

- AWRG has substantial concerns with respect to the place of Earth Science and geodiversity within the Single Body. Earth Science, geology and geodiversity are not mentioned within the document, whereas biodiversity features 18 times.
- Currently there are only 3 Earth scientists compared to 6 Earth scientists 3-4 years ago. CCW has played a critical role in driving forward geoconservation in Wales and CCW geologists have worked closely with AWRG on a wide-range of projects in CCW.



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- The impacts of climate change can only be evaluated with a scientific understanding of how the landscape and geodiversity will respond to warming or cooling, sea-level change, increases in extreme weather events etc.
 - Flood and coastal erosion risk cannot be understood, and thus managed or mitigated, without a fundamental understanding of the geology, geomorphology and fluvial, coastal and marine processes.
- The above gives rise to the concerns that the Earth Sciences will be subsumed beneath an overriding concern with the biotic environment.
 - Wales's resources cannot be sustainably managed or developed without this fundamental understanding of our whole environment.

Section 3: Legal Powers

Question 3: Views

- Phased approach will ensure inclusion of important aspects of sustainable and managed development. In terms geoconservation, it will be important to build on the work of the Geological Conservation Review (GCR) [the groundbreaking survey that established Britain's enviable network of geological & geomorphological SSSI] and the WAG-sponsored RIGS surveys; also a first in terms of establishing a nationwide site coverage.

Section 4: Purpose

Question 4: Good basis? Improvement?

- The basis is sound, but AWRG has concerns as to the place of geodiversity and geoconservation within the strategic outcomes. For example, on page 16 there is a reference to 'regulatory decisions must protect air, water, soil quality and biodiversity'. There is no mention of geodiversity or landscape. Further to this, the consultation does not appear to appreciate the importance of geodiversity to the economy. For example, mineral extraction and geotourism (directly for the geology or indirectly for the landscape) and the marine sector, contribute tens of millions of pounds to the Welsh economy.
- The conservation and enhancement of ecosystems must include geosystems and the new body will need to understand the role of geodiversity otherwise it will be more difficult to achieve the outcomes listed on page 18. For example, adapting to climate change will be unsuccessful; it will be more difficult to control pollution. We may not make the best use of our natural resources (limestone, coal, shale gas, minerals, water etc.).

Question 5: Delivery framework

- There are no objectives, success criteria or Welsh Government indicators that mention the physical environment, resources, geodiversity or any aspect of the abiotic environment. Damage to these aspects of the Welsh landscape would be irreparable.



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- The lack of measurable objectives for the physical environment and resources will impact on the biodiversity. Once the geodiversity, for example a limestone pavement, has been damaged, it cannot be reinstated, unlike some biodiversity features and habitats.

Section 5: Functions

Question 6: Changes to Welsh Government functions

Table 1:

- Regulation of Industry:
No examples of the extractive industry e.g. quarrying and mining, offshore installations
- Reducing effects of pollution:
No examples of extractive industries or the marine environment
- Climate change and mitigation:
No examples about how the landscape will be affected by climate change; increased erosion/landslides both fluvial and coastal; vulnerability of the road & rail networks to landslides, rising sea level with respect to protected sites and the coast. Geologists will play a key role in helping the people of Wales adapt to climate change through knowledge and understanding of the geodiversity and how it will react to changing circumstances
- Conservation... geological and *physiographic* features:
We realise that this is a reference to conservation legislation, but this term is not in common use in the geological and geomorphological conservation community. Geodiversity is the preferred term and is included in 'A Living Wales' and 'Sustaining a Living Wales' documents published by the Welsh Government
No geodiversity examples e.g. Advice and support to Regionally Important Geodiversity Sites. These sites are the geological equivalent to Local Nature Reserves.
Advice and support to the UK Geodiversity Action Plan (UKGAP) and Local Geodiversity Action Plans (LGAPs)
- Conservation, restoration and enhancement of landscape and seascapes of Wales:
Geodiversity is an integral part of the landscape of Wales and geologists have played an important role in providing advice and information to Landmap, Seascapes, AONB management plans etc. Input from geologists will continue to be important, and is likely to increase in the future.
- Improving and increasing access to, and use of, the environment for outdoor recreation:
RIGS and geological SSSI play an important role in raising awareness of geodiversity and a key element is getting people out into the field to see the geology first-hand. A by-product of this is getting people to come out to the countryside, exercising and enjoying the fresh air, with its positive effects on



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health. Both RIGS and geological SSSI have an underpinning role in the Welsh Geoparks (Fforest Fawr & GeoMon) and the 5 Welsh AONBs, which have a major sustainable geotourism and social well-being ethos.

- Flood and coastal erosion risk management in Wales:
No examples of the need to understand the response/vulnerability of the geodiversity to erosion/landslides/flooding
- Working to prevent or remedy the effects of incidents and emergencies on people:
No examples suggesting a research into understanding of the locations that are most vulnerable due to the geodiversity especially the unconsolidated glacial and post-glacial deposits
- Encouraging sustainable use of the environment and natural resources...
No examples of the extractive industries including limestone, coal, shale gas, slate and minerals e.g. Welsh gold. Understanding the underlying bedrock will be important in making the best use of our natural resources for example, minimising waste when quarrying or mining.
- Increasing public understanding of the value of the environment and natural resources:
No examples of a greater understanding of the geodiversity and its role in underpinning the landscape; its formation; surface processes; form; function and aesthetics
Geodiversity is fundamental to understanding the landscape of Wales and its sustainable use
Geoparks (Fforest Fawr and GeoMôn), Local Geodiversity Action Plans (e.g. Clwydian Range & Anglesey), RIGS, geological SSSI and national and local nature reserves play a critical role increasing public awareness and providing educational resources (an outdoor laboratory) to satisfy the national curriculum.
No examples given of how natural resources are used in everyday lives. It is important for people to realise how material quarried in Wales and elsewhere is transformed in products we use everyday
- Providing advice to ministers or any public body...
Geological organisations such as British Geological Survey, National Museum Wales, Geodiversity Wales, Association of Welsh Regionally Important Geodiversity Sites Group (AWRG)

Table 3:

- The economic, social and cultural interests...
Geological interest needs to be included as much of the industrial and cultural heritage of Wales is based on its geology. For example coal mining, steel and iron making, lead mining, slate, aggregates, building materials, archaeology e.g. Parys Mountain, Great Orme, oldest copper mine in Wales etc. and in the future the possibility of shale gas and coal gasification



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Summary

AWRG agrees with the Minister's Foreword that this is an exciting opportunity to shape how we manage our natural resources. However, the Association feels that a greater appreciation of the role of geodiversity is required. AWRG would be pleased to play its part in developing the Ecosystems Approach in Wales where geodiversity is a key component. The Welsh Government is already leading the way in some aspects of this work, with geologists in other parts of the UK envious of the progress so far. AWRG feels that more progress can be made and that Wales can lead the way in having a truly holistic approach to managing its natural resources.

Within Wales there is very limited pool of expertise, personnel, experience and knowledge in the geoconservation/geodiversity field. It is thus necessary to harness this small pool to work effectively together i.e. the statutory agencies with the voluntary and commercial sectors e.g. CCW and the new Single Body, National Museum Wales, British Geological Survey, universities and AWRG among others.

There is a vast amount of work to do with significant and complex physical resources involved, all with potentially huge impacts, both positive and negative to the Welsh economy, society, tourism, sustainable development etc.

Geodiversity Wales is a new geoconservation partnership with the National Museum Wales, CCW, BGS and AWRG among others, which is exploring a wider partnership working with other geological and geoconservation organisations to increase the pool of expertise available in Wales and to provide a focus & forum for co-ordinated and concerted geodiversity & geoconservation activity. **Geodiversity Wales** is hoping to work with the Welsh Government to provide Wales with a **Geodiversity Charter**, similar to that successfully produced in Scotland for the Scottish Government.

Geodiversity and geoconservation need to be viewed as an integrated system and a fundamental part of ecosystems services, with considerable opportunities for partnership working considering the monitoring and designation of geoconservation sites including over 200 geological SSSI and over 800 Regionally Important Geodiversity Sites (RIGS).

This response has been written following consultation with, and the agreement of, the AWRG executive committee.

Jacqui Malpas, BSc. PhD, FGS
Chair, AWRG

From: Jean L.J. Rosenfeld [jean.rosenfeld@ukgateway.net]
Sent: 30 April 2012 11:38
To: SEB mailbox
Subject: Response to Consultation on Natural Resources Wales

Attachments: LAFs Response to Single body consutation.doc

Dear Mrs Moss,

Please find attached a response to the Consultation paper 'Natural Resources Wales', on behalf of the Local Access Forums in Wales.

I would be grateful for confirmation of receipt, or if there are any difficulties with the file.

Your sincerely,

Jean Rosenfeld
National Representative of the Local Access Forums in Wales

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FFORYMAU MYNEDIAD LLEOL YNG NGHYMRU LOCAL ACCESS FORUMS IN WALES

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Response on behalf of the Local Access Forums in Wales
to the Consultation Document “Natural Resources Wales”

Note: The following response is submitted in my capacity as National Representative of the Local Access Forums in Wales, on their collective behalf. It does not supersede or replace any responses individual Local Access Forums may give. The response is limited to matters relevant to the remit of Local Access Forums, which are statutory bodies set up in each Local Authority area under the Countryside and Rights of Way Act 2000 to advise their respective Local Authority, the Countryside Commission for Wales, the Welsh Government and National Assembly ‘as to the improvement of public access to land for the purpose of open-air recreation and the enjoyment of the area.’

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 recognise that there are potential advantages in integrating the functions and management of the three bodies. In relation to public access to the countryside for health and recreation, integration of the related activities currently carried out by the three bodies could lead to a more coherent approach in the development of consistent policies and codes of practice governing public access and the management of potential conflicts that can arise between public access and protection of sensitive natural habitats, the quality of water resources or other land uses. However, to reap the potential benefits of integration it will be essential for the new body to retain a strong involvement in the coordination and promulgation of best practice on all aspects relating to access to the countryside and to ensure that the diverse range of expertise that the three bodies have built up is not reduced or narrowed in the course of integration.

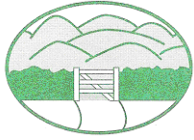
Question 2: In developing our proposals for the body, are there additional measures we could take to address the concerns we have identified in section 2.4 or any other concerns which you have?

We are concerned that in the entire consultation document matters relating to public access to the countryside are only mentioned in passing in a few places (substantially relegated to a subsection of Annex 1). Use of the countryside for health and recreation is a central element of the Government’s strategic plan to improve the health and wellbeing of the population¹. The public rights of way network is a key resource, not only as a means to manage and control public access, but also for the promotion of tourism. The contributions to the Welsh economy from recreational walking activities have recently been estimated² for 2009 to include £562 million additional economic activity, around 11,980 jobs and a gross added value of £275 million. These figures do not include any economic benefits generated by other recreational activities, nor do they include any estimate of the economic and social benefits due to improved health of the population³. They are therefore almost certainly a gross underestimate of the benefits to the Welsh economy deriving from public access to the countryside. This justifies continued significant investment in maintaining and improving the infrastructure and promoting its responsible use. The three bodies currently each carry out a range of related activities and these should be continued by the single body with a higher priority than is suggested by the sparse references made to them in the document. We indicate in the replies to later questions where additional specific reference should be made to ensure that these activities are given their due weight.

¹ ‘Creating an Active Wales’, (Welsh Assembly Government, December 2009).

² ‘The economic impact of walking and hill walking in Wales’, by J. Brian, C. Jones, M. Munday and N. Roche, (Welsh Economy Research Unit, Cardiff University, June 2011).

³ As an example of a recent study of the health benefits of a different recreational activity, see ‘The health benefits of horse riding in the UK’ (British Horse Society, 2011).



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

In moving current activities from the three bodies to the single body the opportunity should be taken to carry out evidence-based reviews of the related strategies, especially for activities which currently are based on UK wide strategies, but where it may be that a modified approach would better be able to meet the aims of the single body in Wales. One example is the Environment Agency's water recreation strategy, currently applied to England and Wales.

A similar process is also desirable when considering the integration of related activities currently undertaken by the different bodies.

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 list of strategy and policy documents in 4.2 appears to form the basis for defining the role and functions of the new body. However, none of the documents listed pertains specifically to public access to the countryside. This can be partially corrected by the addition of the strategic action plan 'Creating an Active Wales'. Similarly, in 4.4 none of the 5 strategic outcomes listed refer explicitly to issues related to public access for health and recreation. An additional item is recommended:

6. Develop and promote policies and codes of practice to manage and improve public access to the countryside for health and recreation.

The exceptionally high landscape qualities of Wales are one major reason why access to the countryside in Wales is so popular. The important role that the single body can play in promoting and protecting landscapes and seascapes of national or regional importance should be recognised explicitly in a second additional item in the list at 4.4:

7. Develop policies to promote and protect landscapes and seascapes deemed to be of national or regional importance and promote opportunities for their enjoyment.

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

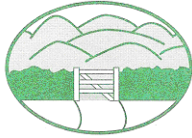
We generally support the proposed delivery framework. We note that Annex 5, objective 14, does refer to public access for health and recreation, but we suggest the additional reference to 'inland waters' alongside 'landscape and green space'.

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

As stated in the introductory note, the Local Access Forums have a statutory duty to advise CCW and the Welsh Government (as well as their Local Authority) on matters related to public access to the countryside for the purposes of health and recreation. To assist the Local Access Forums in carrying out these duties, CCW has provided administrative and financial support to organise meetings of the chairs of the Forums and an annual conference. These have proved to be a very effective means for exchanging information and advice between CCW and Welsh Government officers and the Local Access Forums. In addition CCW field officers attend the meetings of individual Local Access Forums. These relationships and arrangements should be continued with respect to the single body. In Table 1, under the Function 'improving and increasing access to, and use of, the environment for outdoor recreation' we therefore request specific mention under 'illustrative examples' of 'administrative support for and consultations with Local Access Forums'.

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.



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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?

We consider that a board of only 12 people as proposed would not between them provide the range of expertise and experience needed to cover all the diverse functions of the new body, nor to adequately reflect the diversity of interests in society as a whole. Rather than start with an arbitrary number, it would be better, as candidates are sought, to select as many as are required to provide the needed breadth and depth of experience to cover the range of functions and societal interests. We would anticipate that a board of between 16 and 20 people would meet the needs and still be manageable from an administrative point of view.

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 support the general approach. The National Access Forum of Wales set up by CCW has been an effective advisory committee in which a wide range of stakeholders with an interest in public access and outdoor recreation are represented. It should be retained by the new body.

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

The regulatory arrangements, especially where self permitting is envisaged, should ensure that relevant stakeholders are consulted before a decision is reached. For proposals that could materially affect or restrict public access or impact on a public right of way, the Local Access Forum in whose area the proposal lies should be a statutory consultee. Similarly for proposals materially impacting on a site of cultural or historic interest, CADW should be a statutory consultee.

Jean L.J. Rosenfeld

National Representative of the Local Access Forums in Wales

From: Shireen Chambers [Shireen.chambers@charteredforesters.org]

Sent: 30 April 2012 11:45

To: SEB mailbox

Subject: Natural resources Wales - consultation response

Attachments: ICF Natural Resources Wales Response April 12.pdf

Please find attached the Institutes response to the consultation on 'Natural resources Wales'. Please confirm receipt.

Shireen Chambers FIC for FRSA
Executive Director

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

The Institute welcomes the opportunity to respond to this consultation. The Institute of Chartered Foresters (ICF) is the Royal Chartered body for forestry and arboricultural professionals in the UK. Our members are involved in land management, and particularly woodland management at a practical, policy and academic level across Wales in both the private and public sector. The forestry profession is committed to sustainable land management and supports the aims set out in the Environment Strategy for Wales, in Woodlands for Wales.

In our response we have focussed on the high level principles raised by this consultation, and on some major concerns that our members have about proposals in it, specifically:

- The underlying concern of the ICF is that with the loss of a dedicated forestry department both the public sector and forestry businesses in Wales will be damaged by a lack of experience and knowledge in policy makers in Government.
- Following on from this the ICF wants to see a strong identity for forestry in Wales with qualified personnel holding professional forestry qualifications responsible for forestry policy.
- The Welsh government must ensure that the new body has a duty to balance the three pillars of sustainable development; namely, economic, social and environmental benefits. The ICF has real concerns that economic development will not feature as strongly as the other pillars in an organisation dominated by regulatory and conservation interests.

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?

1.1 The ICF accepts that the government is committed to this course of action and believes that successful delivery could bring significant gains. However it should be recognised that establishing a single body is only a first step on the way to delivering the goals of government and Welsh Government need to complete all of the steps if those goals are to be achieved. ICF would wish to point out the dangers to the forest industry of Wales and within the wider UK context, should the goals of the single body be different from those of the government or if the new body should develop an adverse culture.

1.2 ICF believes it is important that the government ensures the new body has a duty to balance the three pillars of sustainable development; namely, economic, social and environmental benefits. It is concerning to members that the consultation document at times appears ambiguous on this. An important distinction between FCW and CCW for example is that FCW has the statutory duty to balance commercial and non commercial considerations of a project or development where CCW does

not. This simple fact explains much about the relative attitude of the two organisations to new woodland creation for example. IC F believes it is crucial that the new body is given a strong balancing duty which requires it to deliver all three pillars of sustainable development. None of the three should be given primacy nor should the wording of any duty be capable of interpretation to allow one issue to be given greater standing over others. Despite the reassurances given the devil will be in the detail and there is a risk that forestry interests, particularly the commercial side are not fully reflected or considered.

1.3 The IC F urges Welsh Government to establish objectives and outcomes for the new body together with new environmental legislation promptly to reduce the risk of a "performance dip" which may accompany the creation of the new body. It is felt that delay will lead to a faltering start and a body unsure of its role.

1.4 Professional foresters have the expertise and skills to plan for the long term and to consider a wide range of issues but there is a risk that this is gradually eroded by an organisation where short term protection of the status quo becomes the norm. The W G woodland estate is not the only woodland impacted by the proposals. The IC F is concerned that the policy and value of the private sector is not emphasised enough in any of the documentation produced to date.

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?

2.1 IC F welcomes the proposal to create a "Forestry Policy" function within Welsh Government but would welcome greater clarity on how this would function and where it would be placed within government. Members seek more detail on the level of resource available to this function and the government's view on the scope of "forestry policy". The IC F believe that this should not be restricted to a five-yearly revision of the Forestry Strategy, but would welcome clarification of the additional role this body would fulfil.

2.2 IC F welcomes the commitment to increasing the area of woodland in Wales but would point out that it is difficult to see how this can be done without involving the Rural Affairs department and the Agri-Environment grants. It would appear that current plans will leave the new body with little or no control over the main grant scheme "GLASTR". IC F is concerned that the new body will be restricted to a regulatory function together with some direct delivery without incentives to support woodland creation and management policy. IC F believes that ultimately the agri-environment scheme should come under the remit of the new body to ensure maximum benefit from the proposed new arrangements.

2.3 IC F welcomes the commitment to continuing forestry expertise. As part of this it would be helpful to chartered foresters within the new body if it recognised their professional status, and continued the current policy of FC ensuring that posts requiring a professional forester should have a requirement that the candidate has or will commit to gaining their professional qualifications.

2.4 The IC F perceives the merger of the three bodies into a single institution as a significant opportunity to rationalise and simplify the regulatory framework governing the forest industry. IC F would welcome feedback on proposals for this and would welcome the opportunity to comment and provide constructive proposals for implementation.

2.5 The Institute recognises the Welsh Government's commitment within the document to cooperate with other UK bodies over the control of tree pests and

diseases but we are concerned at the perceived lack of commitment to continued research and development within the forest industry. Historically, much of the impetus and resource for this has come from the Forestry Commission at a UK level and ICF believes that continued investment in this area is essential if Wales is to retain a world class forest industry capable of delivering the balanced sustainable developments sought by Welsh Government. The ICF would welcome clarification as to how the new body will be able to continue the work currently undertaken in large part by Forestry Commission GB.

2.6 We consider that there is insufficient emphasis on the economic role of the single body, for example what role will it play in addressing under-utilisation of Wales' natural resources like water, food and timber. No mention is made of the renewable energy initiatives of FC Wales such as wind farms and wood energy. Similarly, ICF consider that not enough mention is made of the social role of the single body, for example access to the countryside, access to water, education and training. It seems that the single body may have limited opportunity to influence the forthcoming Welsh Highways and Transport bill in which public rights of way will feature and hence access to the countryside opportunities may be lost.

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

3.1 Generally, the ICF accepts the proposed phased approach to the transfer of powers to the new single body. Nevertheless there is some concern that the statement "the establishment of the new body will provide a genuine opportunity to review priorities and to change processes" may lead to significant changes on which stakeholders have not been fully consulted. ICF would welcome clarification of this statement and assurances that changes to "priorities" and "processes" will be fully consulted upon.

3.2 It is recognised that the "Public Bodies Act" has important limitations. Crucially, powers must already exist within current legislation in order for them to be transferred to the new body. They can be "adjusted" but not substantially amended. For example the Forestry Act 1967 does not allow the Forestry Commissioners to delegate their woodland management activities. This limits their ability to reach agreements with community groups. It may be useful if the new body had powers of delegation in this area but this would be beyond the scope of what the "Public Bodies Act" could allow.

3.3 ICF believes that when transferring functions to the new single body, it will be important to ensure that:

- Existing contractual commitments, e.g. long term timber contracts, are honoured
- Forecast timber production, i.e. the moral commitment to continue to supply beyond the current contact period, is maintained
- Existing access rights are honoured and that people can continue to have confidence in exercising these rights by appropriate branding and publicity

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

4.1 The ICF finds the principal aim and strategic outcomes to be mostly satisfactory but would comment that an "aim" is somewhat less demanding on the new body than a "duty". Members would also comment that the "Strategic outcomes" appear to show less emphasis on economic outcomes than they do on the issues of

social and environmental wellbeing. The requirement to uphold the three pillars of sustainability (including economic) appears to be under-stated.

4.2 ICF proposes that the "duty", not the "aim", should be for the new body to "maintain, improve and develop Wales' natural resources, following the principles of sustainable development, to deliver benefit to the people and economy of Wales now and into the future".

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

5.1 There is concern about the need for an annual "report letter" approach. If the single body is set up with a defined report and set of performance indicators, there is doubt about the need to restate the report annually or to attach strings to the annual budget as would happen with a report letter approach. ICF proposes a strong governance framework and clear set of duties at the start with a review after say 5 years.

5.2 There will be a need for end of year flexibility to allow for substantial timber trading activity on the government estate. Currently FC has ability to carry over funds at the year end to reflect this.

5.3 ICF believes there is a need to ensure that the timescales for delivery of outcomes is clear and realistic otherwise there is a risk that all effort is concentrated on one area (e.g. percentage of features on protected site in favourable or recovering condition) to the detriment of others. There is also a need to review some of the designations as the aspirations are probably unachievable without considerable investment of resources.

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

6.1 The ICF welcomes the opportunity to rationalise duplicate functions from the three organisations and simplify legislation. ICF would welcome a commitment to consult further on any proposals for legislative changes affecting the forestry sector as well as those for the Welsh Language.

6.2 Members are concerned that Table 1 makes no distinction between functions that will be a duty (which the body has to do), and which functions over which it has powers (but does not have to do).

6.3 Members consider that those involved in forestry policy formulation should be forestry professionals with professional forestry qualifications.

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?

7.1 The ICF welcomes the proposals as set out, particularly with regard to rationalising current arrangements. We wish to emphasise the need for good cross-border co-ordination and co-operation from the new single body to control pests and disease. There is concern that the new arrangements should be properly resourced (both financially and with suitable levels of expertise) to provide effective measures against future threats and for Wales to play its full part in helping to combat threats relevant to all UK countries in the future.

7.2 The ICF recognises that licensing of plant health is better coordinated with, for example, EPS licensing so that granting a felling order would be enough in itself to make the felling legal under the Habitats Legislation - there should not be a requirement for any further licensing.

7.3 We are concerned that plant health remains with Welsh Government but Tree Health will be for the single body to handle. This is this not joined-up working.

7.4 We are concerned that there will be less emphasis on forestry policy within the WG and the industry will find it difficult to get a forestry profile recognised. We are also concerned that forestry policy makers will become divorced from operational reality which is prevented at present by having operational and policy staff working together within FC Wales.

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

8.1 The ICF questions that research coordinated through the Wales Government and the Wales Environmental Research Hub is the right body to coordinate forest research programmes or that it is resourced to do so. How will Forest Research be resourced to deliver relevant research and that the current case working arrangements with Forestry Commission GB continue? In Britain, given the great diversity of tree species introduced over centuries, we have been fortunate that the incidence of tree pests and diseases, until recently, has been relatively sporadic. However in the last 15 years there has been a dramatic rise in world trade in plants and trees that is directly linked to a significant increase in pests and diseases affecting trees in Wales, and a changing climate will only exacerbate this situation in future. These diseases could have a devastating effect on the Welsh landscape. In south Wales, many hectares of public forest estate have been felled to combat the spread of Phytophthora..

8.2 ICF would like to emphasise that the current research arrangements through Forestry Commission GB works well and any new arrangements need to build on the existing strengths. Crucial to success will be the relationship between the new body and Forest Research. The knowledge to deal with tree health is not currently held within the three organisations that will form the new body. Forest Research has the expertise and the experience to deal with and react rapidly to new threats.

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?

9.1 Evidence on organisational development and change management suggests that the new CEO will be the key person in setting the culture and giving leadership. Decisions flowing down the chain of command from the CEO will set the culture of the organisation, how it behaves and what type of approach it will have to its task. The CEO of the new body will require a full understanding of forestry business in Wales, and not just its environmental outputs, if forestry is to continue as a thriving sector in the Welsh economy.

9.2 ICF considers that published accounts of the new body must be sufficiently detailed for the public to identify major sources of income and items of expenditure - for example income from timber sales and other commercial activities must be separately identified.

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?

10.1 ICF strongly supports the principal of effective engagement with a full range of stakeholders.

10.2 We are concerned that the replacement of the National Committee for Wales by the board of the new body would lead to a dilution of forestry expertise and a risk of undue political influence in decision making given that the board will be appointed by Welsh Ministers.

10.3 The Institute would welcome the retention of arrangements similar to the current multi-stakeholder Advisory Panel which has advised on the development and implementation of Woodlands for Wales over the past eighty years.

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

11.1 The ICF agree that self-consenting may be undesirable but accepts that few problems have arisen in the past from current practice. It is believed that strong and widely based stakeholder involvement together with appropriate separation of responsibilities within the operational departments of the new body would be adequate to cover most risks. A culture of governance that encouraged "whistle blowing" would also help to allay fears over conflicts of interest.

11.2 ICF wishes to see a system of earned recognition used in forestry regulation where professionally qualified foresters are working.

11.3 Staff within the new body need to have a clear understanding of their role and the regulatory activity that they are being asked to deliver so that they do not duplicate effort. They also need to be clear whether their role is an advisory or consenting one for a particular activity.

Dear Minister,

Formal Response to Welsh Government Public Consultation on 'Natural Resources Wales'.

Ken Bathers Upper Dee Angling Federation the voice of 10.000 anglers

We wish to record our support for the formal response submitted by the statutory Fisheries, Ecology & Recreation Advisory Committee for Wales (FERAC Wales) to the above consultation document setting out the proposed arrangements for establishing and directing a New Body for the management of Wales' Natural Resources'.

Although the consultation document is short on detail about how certain aspects of the proposals will be translated into practice, we feel that it has highlighted the vital importance of achieving the correct balance between the potentially conflicting demands for economic growth and development with the effective management and regulation of our natural environment. This balance will be critically important if the New Body is to command the confidence, trust and support of its many stakeholders and the general public.

It has also identified several matters of particular interest and concern to fisheries and angling interests throughout Wales. In this respect, we strongly support the following key points identified in the FERAC Wales response: -

1. The structure of the Board of the New Body should include a suitable member with a clear and explicit remit to represent fisheries and angling interests.
2. The proposed abolition of FERAC Wales as a statutory advisory committee is only acceptable if it is replaced by more effective alternative arrangements for future stakeholder engagement with fishery and angling interests at a local and national level. We fully endorse the FERAC proposal that the New Body should have a statutory duty to establish a framework for future consultation and engagement with its key stakeholders (including fisheries) and that this framework should be approved and periodically reviewed by Welsh Ministers. We would wish to see the seven existing Local Fishery Groups used as a platform for building these future consultative arrangements at a local level. We also see the need for an Inland Fishery Stakeholder Group to serve as a national focus on strategic matters.
3. We attach considerable importance to integrating the future responsibility for sea fisheries regulation, enforcement and monitoring within the new Body.
4. We consider it vital that the New Body should be more influential in helping Welsh Government to develop future land-use management strategies and more directly involved in the implementation of such strategies.
5. We consider it essential that the New Body should be in a position to commission its own research and investigations in connection with the more efficient and effective discharge of its routine operational functions.

Yours sincerely,
Ken Bathers

From: Pat Kiernan [pat.kiernan@talktalk.net]

Sent: 30 April 2012 12:10

To: SEB mailbox

Subject: Formal Response to Welsh Government Public Consultation on 'Natural Resources Wales'.

Attachments: WG response letter .jpg

Dear M s M oss,

W ith reference to the above, please find m y response attached.

Y our Sincerely

Patrick K iernan

Secretary

C ross H ands and D istrict A ngling A ssociation

Dear Ms Moss,

Formal Response to Welsh Government's Public Consultation on 'Natural Resources Wales'.

My name is Pat Kiernan and I am the Secretary of Cross Hands and District Angling Association whom I am representing

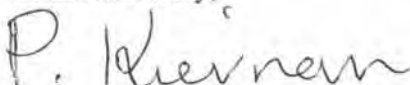
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Although the consultation document is short on detail about how certain aspects of the proposals will be translated into practice, we feel that it has highlighted the vital importance of achieving the correct balance between the potentially conflicting demands for economic growth and development with the effective management and regulation of our natural environment. This balance will be critically important if the New Body is to command the confidence, trust and support of its many stakeholders and the general public.

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3. We attach considerable importance to integrating the future responsibility for sea fisheries regulation, enforcement and monitoring within the new Body.
4. We consider it vital that the New Body should have far greater influence in helping Welsh Government to develop future land-use management strategies and practices and that it should be more directly involved in their implementation
5. We consider it essential that the New Body should be in a position to commission its own research and investigations in connection with the more efficient and effective discharge of its routine operational functions.

Yours sincerely,



P Kiernan

From: Osborne, Andrew (Regeneration)

Sent: 30 April 2012 12:25

To: SEB mailbox; Moss, Carrie (DESH)

Cc: Dentus, Julie (BETS - Infrastructure); Warner, Christopher (Regeneration); 'David Llewellyn'; 'Sue Maberley'; 'peter cole'; 'Ian McIntosh'; 'alison.ward@torfaen.gov.uk'; Howarth, David (BETS - Rural Affairs); 'gary.davies@swwtp.co.uk'; 'jenb@taicalon.org'; 'john.harrison@environment-agency.gov.uk'; Alfrey, Judith (DH - CADW); 'lesley.jones@keepwalestidy.org'; 'louise.fradd@bridgend.gov.uk'; 'lowri.gwilym@wlga.gov.uk'; Howell, Maureen (DHSSC - DPHHP HID); 'sally.tansey@forestry.gsi.gov.uk'; 'simon.harris@bitc.org.uk'; Spode, Steve (Sustainable Futures - SEED)

Subject: RE: Single Body WG Consultation

Attachments: SB VRP Response v2.doc

Dear Carrie

I attach a response to the WG consultation on the SB from the Valleys Regional Park Partnership.

Please do not hesitate to contact me if you need clarification on or wish to discuss any of our comments.

Regards

Andrew

Andrew Osborne

Valleys Regional Park Manager / Rheolwr Parc Rhanbarthol Cym oedd

Welsh Government / Llywodraeth Cymru

Regeneration Division / Adran Adfywio

Sustainable futures / Dyfodol Cynaliadwy

QED Centre / Canolfan QED

Main Avenue / Y Brif Rôdfa

Treforest Estate / Ystad Trefforest

Pontypridd CF37 5YR

Tel/Fôn: 07900 570227

Fax/Ffacs: 01443 845565

E-mail/E-bost: andrew.osborne@wales.gsi.gov.uk

<http://thevalleys.org.uk> <http://thevalleys.co.uk>

From : Osborne, Andrew (Regeneration)

Sent: 19 April 2012 15:07

To: 'Sue Maberley'; 'peter cole'; 'Ian McIntosh'; 'alison.ward@torfaen.gov.uk'; Howarth, David (BETS - Rural Affairs); 'gary.davies@swwtp.co.uk'; 'jenb@taicalon.org'; 'john.harrison@environment-agency.gov.uk'; Alfrey, Judith (DH - CADW); 'lesley.jones@keepwalestidy.org'; 'louise.fradd@bridgend.gov.uk'; 'lowri.gwilym@wlga.gov.uk'; Howell, Maureen (DHSSC - DPHHP HID); 'sally.tansey@forestry.gsi.gov.uk'; 'simon.harris@bitc.org.uk'; Spode, Steve (Sustainable Futures - SEED)

harris@bitc.org.uk'; Spode, Steve (Sustainable Futures - SEED)

Cc: Dentus, Julie (BETS - Infrastructure); Warner, Christopher (Regeneration); 'David Llewellyn'

Subject: Single Body WG Consultation

Dear all

The Welsh Government is consulting on proposed arrangements for establishing and directing a new body for the management of Wales' natural resources. The proposal will bring Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales into one single organisation.

The full consultation document can be found using the following link.

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

The SB consultation is about the actual organisational structure, governance and functions of the new body with a response deadline of 2 May. I have attached a draft response from the VRP partnership which I would be grateful for your comments on by noon on Friday 27 April.

There is a separate consultation ongoing regarding the Living Wales NEF approach with a deadline of 31 May (Sustaining a Living Wales: A Green Paper on a new approach to natural resource management in Wales). I will be developing a separate draft response to this for your agreement within the next two weeks.

Best regards

Andrew

Andrew Osborne

Valleys Regional Park Manager / Rheolwr Parc Rhanbarthol Y Cymoedd

Welsh Government / Llywodraeth Cymru

Regeneration Division / Adran Adfywio

Sustainable Futures / Dyfodol Cynhadwy

QED Centre / Canolfan QED

Main Avenue / Y Brif Rôdfa

Treforest Estate / Ystad Treforest

Pontypridd CF37 5YR

Tel/Fôn: 07900 570227

Fax/Ffacs: 01443 845565

E-mail/E-bost: andrew.osborne@wales.gov.uk

<http://thevalleys.org.uk> <http://thevalleys.co.uk>

Welsh Government Consultation

Natural Resources Wales

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

Response from the Valleys Regional Park (VRP) Partnership

The Valleys Regional Park (VRP) initiative aims to maximise the social and economic potential of the outstanding natural and cultural heritage assets of the south Wales valleys. The VRP partnership comprises over 40 partners from across the public, including Welsh Government as host and the local authorities, private, academic, and third and community sectors. It seeks to develop and co-ordinate environment and heritage projects and activities across the Valleys as a catalyst for regeneration working in conjunction with the Welsh Government's Heads of the Valleys and Western Valleys Regeneration Programmes. Stimulating cross boundary and cross sector collaboration between partners, the initiative aims to develop the region as a highly-desirable place to live, work and visit, associated with marketing through the Valleys 'Heart & Soul' campaign.

This response has been prepared by the VRP Manager in consultation with VRP Strategic Group members comprising senior representation from key sectors and organisations in the partnership.

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 proposal is supported in principle subject to ensuring that the SB is organised to manage the potential conflict between various disciplines when considering regulatory, development and management functions. This is where the use of a robust sustainable development integration approach/tool will need to be adopted as part of the culture within all parts of the organisation, operating at all levels from strategic planning to delivery.

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? :

What will be the role of the SB in developing and delivering the Wales Infrastructure Investment Plan? The latter will need to identify and prioritise land for specific uses with management options. For example the woodland estate and how it is managed for timber production, recreation, fuel, biodiversity etc.

Commercial skills and experience in within Forestry Commission Wales are likely to be beneficial to wider environmental opportunities in terms of how the environment can support commercial activity. Such skills will need to be nurtured and developed.

Industry concerns regarding regulation and the stifling of development are unlikely to become a reality. The SB has the potential to resolve the existing situation where there are a multitude of regulatory issues that private developers are grappling with which can involve dealing with each of the three organisations separately, and the regulations can conflict when dealing with specific sites. The SB needs to be structured to provide a more coordinated and integrated approach so that these problems are reduced.

The merger needs to lead to greater clarity on the roles and responsibilities between the SB and other stakeholders and that there are clearer lines of accountability and communication especially during emergency situations. VRP partner organisations need to be fully involved in the development of work streams to ensure there is clear understanding in terms of the way in which the SB will work with the local authorities.

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

It will be important to consult fully with stakeholder and partner organisations before any decisions are made.

During the process it is vital to consider the impact of any early decisions or lack of decisions that may impact unnecessarily negatively on long-term environmental programmes; typically this may include funding decisions that can impact on environmental delivery for many years due to lost capacity and expertise. As such transitional arrangements must ensure that service levels are not reduced, particularly at front line services.

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 will be a fundamental role of the SB to embrace sustainable development as a central organising principle, champion what this means and how it can be applied to practical project development and delivery. This needs to be embedded in the culture of the SB and reflected in its principle aims, strategic approach and outcomes. There should be greater emphasis on the communication of the SB objectives.

There are two additional but important strategic outcomes:

6. Contribute to life long learning by promoting the outdoors as an educational resource and a conducive environment for education.
7. Stimulating economic prosperity linked to tourism and providing a quality location for business investment.

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

A delivery framework will be essential but it needs to be set out in a user friendly format with clear measurable objectives that use plain and simple language.

It might be helpful if the objectives were set out in accordance with the ecosystem services categories with practical examples of initiatives that could deliver the objectives. The current version is not in this format.

There appears to be insufficient emphasis on the economic opportunities that the natural environment is able to deliver.

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

There are some areas of work missing:

Table 1:

Much of the tourism economy and opportunities in Wales are dependant on the natural environment but this is not mentioned. A key role of the SB will surely be to develop and manage tourism infrastructure that can be promoted by other parts of the public sector, private and voluntary sectors.

Whilst there is mention of specific nature conservation designations, the biodiversity resource in Wales is not confined to designated sites. Biodiversity conservation and enhancement is relevant to all areas of Wales and is a key consideration in any sustainable development approach. Biodiversity conservation and enhancement warrants a specific function within Table 1.

There is reference to planning and managing water resources but there is no acknowledgement of the role that water plays in the provision of public benefit for access, recreation, fishing, boating, canoeing, outdoor adventure etc. This is an important area that should be included.

Invasive species should also reference Japanese Knotweed, Himalayan Balsam, Signal Crayfish and the need to reduce these.

The promotion of the natural environment and how it contributes to the economy of Wales, the education of its people together with promoting social cohesion should be included as a key role of the SB.

Table 3:

Everything should be within the context of and have regard to sustainable development.

There is no reference to protecting or enhancing biodiversity.

It will also be important to identify resources or partnerships with WG and others to secure external funding including significant EU funding that is likely to be available to some parts of Wales in the coming years. The VRP team has expertise in this area of 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? :

Having the lead and strategy in one body makes good sense.

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

The importance of research is welcome and it seems sensible to coordinate 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? :

It will be important for the board to comprise appropriate representation from organisations affected by, responsible for and able to implement the policies. This includes the local authorities and a range of voluntary sector organisations such as Groundwork, British Trust for Conservation Volunteers, Keep Wales Tidy, Ramblers Association, wildlife trusts to name just a few.

Regional partnerships may be necessary to link policy with delivery, facilitating coordination and collaborative planning and delivery. This is being piloted in the Valleys through the VRP Partnership and could be replicated elsewhere in Wales as appropriate.

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? :

Annex 1.17 refers to Local Government and the Simpson Review, and how the new body will “need to work with local government at all levels, forming effective partnership working arrangements, including the sharing of services where appropriate.” The VRP Partnership has developed an approach to facilitate cross sector and cross boundary working across a region, and is keen to assist in developing and delivering SB policies and advising on the development of similar partnership approaches in other parts of Wales.

The draft VRP delivery framework identifies the need to review the governance and hosting arrangement for the partnership. As part of this we would like to work with the SB to examine the contribution that VRP can play in delivering the Living Wales aspirations and whether VRP should be hosted by the SB to develop coordination and collaboration related to funding and delivery strategies and mechanisms. To what extent could VRP also assist in developing similar approaches in other parts of Wales?

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

There needs to be clear separation between regulation and implementation.

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

The SB must have clear and simple organising and focussed principles in order that it gains the confidence and trust of staff, politicians, partners, the

general public and stakeholders. There must be a demonstrable equal balance of regulation and proactive improvements to the benefit of the majority of society.

Andrew Osborne
Valleys Regional Park Manager

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

Sent: 30 April 2012 12:40

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:

Hugh Wheeldon

Organisation (if applicable):

Hugh Wheeldon & Co

Email / telephone number:

haww@hwforestry.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?:

Carried out competently, with staff of the requisite calibre & experience, the creation of a single regulatory body could be beneficial to the regulated industries and to the public purse. I have not read or seen anything which suggests that this is likely to happen as the driver behind this move appears to purely political in nature and does not seek the better and more efficient regulation which is required. My business works in the forestry sector where the Forestry Commission is the single largest commercial operator in Wales. Shorning an industry dominant commercial organisation into a regulatory body makes no conceivable sense. Indeed the presence of the enterprise part of FCW in the new body will create great conflicts of interest as the regulators will have access to a great deal of commercially sensitive information from the private sector. This may be in breach of competition law.

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 role of the state owned forests needs to be completely separate from the regulatory body. I believe it is a mistake to incorporate the public estate woodlands within the single body. They should be placed in a completely separate entity subject to the same regulation from the single body as the private sector.

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?:

If you do not know what exactly you intend to do implementation will need to wait until this has been resolved. the question is whether a single body can function until these legal steps have been taken. My concern would be that one agency is allowed to take the lead before the others are brought in, therefore slanting the overall approach of the single body.

Including management of the Welsh Public Forest Estate as an aim is in conflict with delivering the Wales Woodland Strategy. The Welsh Public Forest Estate needs to be regulated in the same way as other woodlands by the single body and due to its commercial activities there is a blatant conflict of interest between the two roles.

The Indicators for Forestry suggest a high level of ratings A & B which may overestimate the ability of the existing or future regulations to impact on the private sector. Actions by Government at the current time are generally negative, so whilst the ability of the body to impact on these factors may be high its ability to impact positively is not.

The current function of FCW to manage the public estate should be transferred to a separate body. The regulatory functions of FCW should be the only part transferred to the single body.

Licensing of wildlife (badgers, EPS etc) should not be split between departments. This is often highly relative to other licensing activity, Felling Licences, Drainage Consents etc. Splitting this from the single body will reduce its ability to function effectively.

UK Forestr Research is an important resource for the Forest Sector. It should not be compromised in any way by these planned changes and should be supported by WAG.

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 removal of specific statutory arrangement will be a retrograde step. In the Forestry Sector there is currently no confidence in the senior staff of the Forestry Commission in Wales to interact properly with stakeholders. The ability of the staff of the new body to pick and choose when and why stakeholders are consulted is to be resisted. The stakeholder groups (if any) would become impotent. Viable stakeholder groups are the key feature of public bodies that are open to discussion, consultation and to criticism, and will strengthen the single body.

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

For the Forestry sector the current freedom of the forestry Commission to undertake works without the same level of scrutiny as the private sector should be addressed. By taking the public estate out of the single body and submitting it to the regulation of the single body is the only credible way forward. At the current time the Forestry Commission are treating the management of Larch plantations infected by *Phytophthora ramorum* in the two sectors in a different fashion, which could lead to significant conflict of interest particularly regarding the rate at which Larch timber is marketed in Wales. This IS the major issue which has to be addressed regarding the inclusion of the whole of the Forestry Commission within the single body.

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

From: Ian Jenkins [ianjenkins@tiscali.co.uk]

Sent: 30 April 2012 13:53

To: SEB mailbox

<http://carmsriverstrust.com/images/CRT-Banner-1.jpg>

Carrie Moss

'A Living Wales' Programme Team

Department for Environment and Sustainable Development

Welsh Government

Cathays Park

CF10 3NQ.

Date: 30th April 2012

Dear Ms Moss,

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

The Carmarthenshire Rivers Trust, who work together in partnership with clubs, associations, riparian owners, environmental bodies and stakeholders in Carmarthenshire, strongly support the proposals to establish a "New Body" for environmental management in Wales. We have been represented by our chairman on the FERAC working group that has been preparing a consultation response and fully endorse its content.

Providing the issues raised in the response are addressed, we look forward to the more integrated approach to sustainable management of the environment. This is essential to secure good ecological quality for the rivers of Wales and their ability to provide a wide range of ecological services that are so important to communities and the economy. As the response highlights, there are increasing opportunities for third sector organisations to assist the new body to achieve its objectives such as meeting the requirements of the Habitats and Water Framework Directives. To do this we need the continued support of the Welsh Government and the new body so that we can have an increasing involvement in improving the quality of Welsh rivers.

Yours sincerely

Yours Sincerely,

Signed

Ian Jenkins

Secretary/treasurer.

The Carmarthenshire Rivers Trust.

Company No. 6316566.

Charity No. 1127390.

Environmental Body Registered No. 865743 (Entrust).
Tel. 01558 668 697.
Registered Office: Afallon, Dryslwyn. Carmarthen, SA32 8QY

D Ian Jenkins
The Carmarthenshire Rivers Trust
Mynydd Bach
Dryslwyn
Carmarthen
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From: Andrew Bronwin [andrew@bronwin.co.uk]

Sent: 29 April 2012 19:16

To: SEB mailbox

Subject: Response to Natural Resources consultation

Attachments: Andrew Bronwin and Co Ltd response to Natural Resources Wales consultation May 2012.docx

See attached

Response of Andrew Bronwin and Co Ltd to the WG Consultation Natural Resources Wales

We want your views on the proposed arrangements for establishing and directing a new body for Wales' natural resources.

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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

Your details

Your name: Andrew Bronwin

Organisation (if applicable): Andrew Bronwin and Co Ltd. Forest management company working in the private sector.

Email / telephone: andrew@bronwin.co.uk 01597 825900

Consultation questions

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 principle of improving the management of the rural sector has to be welcomed. The forest sector has had serious concerns during the period leading up to this consultation that the Government has not taken into account the importance of the forest industry in terms not only of its contribution to employment and the economy, but also the ability of the sector to make a very positive contribution to the goal of developing an economy based on sustainable development.

All industries, and the forestry industry is no exception, like stability, a sense of vision and the belief that their industry is understood by Government. Sadly, I do not think we have, at the present time, any of these factors. It is wrong to be against change but at the same time change should not be undertaken unless there is a good chance of making improvements.

The weakness of the business case for the Single Body and the difficulties of merging three very different organisations suggest to me that there is a much greater chance the new body will fail than succeed. The result of this failure will be a weaker forestry industry and poorer management of Wales' natural resources.

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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 concerned that forestry comes under two separate ministerial departments with Environment and Sustainability responsible for policy and the Forestry Commission but Food, Fisheries and European Programmes responsible for the delivery of grants to the private sector. I can only imagine this situation came about by mistake not design but it has created a situation where neither department feels any real sense of responsibility for the private sector. Glastir Woodland Management will not lead to an improvement in the private forest sector – in fact the opposite.

The designers of Glastir have no knowledge of the forest industry or interest in promoting Welsh Government's own strategies as they relate to forestry. This situation is ironic, to say the least, when Government is claiming better and more integrated management of Wales' natural resources.

This problem needs to be resolved as a matter of some urgency.

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

A phased approach is crucial so that problems and failures can be remedied as the legislative programme is implemented.

I support the inclusion in the consultation of an independent annual audit which I agree should focus on both financial and staff performance, as well as taking an objective view of the work of the Single Body to improve the management of Wales' natural resources.

I am concerned that the risks of implementing the Single Body have been underestimated, stating the only risks being staff pension costs, ICT costs and VAT status. The consultation document fails to comment on the problems of merging three organisations with very different objectives and cultures.

There will need to be an extremely competent chief executive appointed who can effectively and fairly impose a new culture on the Single Body. If this chief executive cannot be found or the wrong person is appointed the project will undoubtedly fail. If that proves to be the case then the second and third pieces of legislation proposed should not be enacted.

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 outcomes are too general to be useful. What will they mean in practice? For the forestry industry we would like to see strategic outcomes which deliver the following:

- Parity in the Government's approach to managing both the public and private sectors.
- A simple management structure for the Single Body.
- A long term vision for the forest sector.
- Recognition of the importance of timber production in Wales and, in particular, the production of quality timber.
- Recognition of the potential of the unmanaged woodland resource specifically in relation to the wood fuel market.
- The need for forest research with reference to widening species choice to mitigate the risks imposed by climate change, the impact of pests and diseases and the properties of Welsh grown timber for construction.
- Investment in developing a skilled work force.

Many of these objectives are already referred to in the Wales Woodland Strategy and are therefore part of the Government's policy for the forest sector. I simply ask that they are encompassed within the outcomes of the Single Body.

The private sector is feeling beleaguered. We have moved from a position in which we had an agreed woodland strategy and a grant scheme (BWW) which was tasked with delivering the strategy. For many years we have had the problem of the FC adversely affecting the timber markets resulting in lower timber prices for private sector timber but we had learnt to accept that situation, albeit grudgingly.

Now although lip service is paid to the woodland strategy it is not being implemented, BWW has been abandoned, seemingly on a whim as no coherent argument has been presented, and replaced with Glastir which is wholly inadequate. We now have the situation where the private sector is not going to receive much public money to help manage its woods nor can it receive a decent price for its timber because of the way the FC poorly markets its timber keeping prices depressed.

Government appears set on destroying the private sector.

I propose that, if Glastir Woodland Management is not to be radically altered, the FC reduces its annual volume committed to the market each year from 750000 tonnes to 500000 tonnes. The balance of 250000 tonnes should only be marketed if there is sufficient demand and the market price is good.

This reduction in volume would lead to an increase in price which would see more private sector timber brought to the market and better returns for the private owners filling the gap left by the withdrawal of BWW.

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

Government needs to carefully analyse the result of its changes ie splitting forestry between two departments and merging three organisations. It also needs to look at ALL of its policies and strategies relating to the rural sector emerging from all Government departments. It is staggering how little each department understands policies of other Government departments. It suggests a parochial culture and it is exactly this mindset which will see the Single Body fail if it is not changed.

The delivery framework in Annex 5 is again too unspecific to be useful. For example, how does government intend to measure the amount of added value to Welsh timber or the impact of woodland diversity? Currently, Glastir is seeking to promote woodland diversity, so would a wider range of species being planted count as a success regardless of whether those species can be used in the processing sector?

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I would urge a closer analysis of the Government's own policies which forestry can influence, relating to:

- Climate change, housing, bioenergy, biodiversity, education, learning and skills and employment. For example:

- The timber species used in the construction sector and the ability of the forest sector to grow those species – it is estimated 284000 additional homes are required in Wales between 2006 and 2026 and One Wales One Planet seeks to stabilise housing's ecological footprint by 2020 and then reduce it. Using home grown timber would achieve that aim but only if we are growing sufficient volumes of the right species.
- Are we bringing more woods into management and, if not, how should we seek to achieve this aim? Managed woods will meet the objectives of the Wales Biodiversity Framework and the Bioenergy Framework amongst other Government objectives by bringing more wood fuel to the market whilst creating employment, stimulating enterprise and business growth, promoting tourism and enhancing skills for jobs.

I would urge that the delivery framework seeks to measure outcomes such as those indicated above. These specifics would give a much more accurate measure of success or failure.

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

It is important Government recognises the impact of woodland management. The private sector has argued for some time that if woods are properly managed ie planted with productive species, weeded, invasive species removed, thinned etc then these woods will produce timber sought by the processing sector as well as providing environmental benefits and attractive woods in the landscape.

Too often we have seen woods managed only to deliver narrow objectives. BWW addressed this problem but now Glastir is reverting to only managing for environmental objectives. If the Single Body also falls into this trap Wales will produce woods which are not sustainable.

We must produce woods which meet a range of objectives. Government officials responsible for policy have a duty to inform themselves fully about the potential of Welsh forestry. The sector is doing its best to inform and communicate but changes in Ministers and civil servants make it extremely difficult.

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?

Current licensing arrangements in Wales are bureaucratic, cumbersome and time consuming. Too often government officials see their area of work as taking precedence over all others and appear to make harder work of an application than is necessary in order to justify their jobs. In other words, there is rarely any sense of proportion and no attempt to manage sites on a risk basis.

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I suspect that government has little concept of the plethora of legislation relating to forestry, of which badger licensing is only a small part.

The industry has to obtain permissions for felling, European Protected Species, badgers, SSSIs, SPAs, SACs, drainage (culverts), construction of roads and tracks and fencing in a National Park. Add to this the impact of Plant Health orders, cross compliance, the Gangmaster Licensing Authority and taking into account nesting raptors. Currently it feels like it is almost impossible to work in a wood without the real risk of breaking the law and there is invariably a Government official who will delight in telling you where you have gone wrong and the penalties which will be imposed. It is little wonder that some private woodland owners choose to do nothing.

Despite consulting many of the relevant bodies when a grant scheme or felling licence is submitted once the scheme is approved the whole process has to be started again obtaining specific permissions from the various Government departments. This process is time consuming and expensive.

I recommend that woodland management is based on a written management plan. As part of a single application as many permissions as possible should be applied for and granted. We would like a one stop shop where ONE Government officer takes responsibility for ensuring that all relevant permissions are granted. There must be a risk based approach with low risk sites receiving permissions quickly and without the imposition of unnecessary restrictions.

Forest tree health is a very pertinent topic at present with new diseases threatening our forests. The current arrangements work well with a very good service provided by Forest Research and FERA. We need the skills and cooperation of these bodies. The Single Body should take care to ensure that in rationalising the arrangements it does not disturb one part of Government which does work.

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

We need research into tree species which can widen the number of species planted in Welsh forests. It is not sensible to plant species which may provide timber in the future but we do not know their silvicultural qualities or their timber qualities. However, we are currently embarking on that policy.

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 support the decision that the new Body will be independent of the Government providing the Board is truly given the powers to run the organisation. There is always the risk that when the Minister has the power to direct but is not part of the decision making process Government has the best of both worlds by being a powerful influence but not responsible for poor decisions or internal squabbling.

As stated previously the key will be the new chief executive. He/she will have to ensure an equitable approach to the three organisations making up the new body and as quickly as possible establish a new culture.

I welcome the proposal to include forestry expertise on the Board. It is recommended that this expertise draws on experienced people from both the private and the public sectors.

I would like to see the state owned forest managed at 'arms length' within the Single Body. This separation would enable the forest to be run as a commercial organisation with separate accounts and carrying profit/loss from year to year. Should the Board decide it wanted to purchase additional public benefits from the state owned forests it fund these benefits in the same way as for the private sector.

This structure would bring a commercial element to the body which could help to alter the culture sometimes found in Government departments which can be inefficient and bureaucratic.

The increased scrutiny in the first two years is welcomed, as is the independent external assessment at the end of the two years. Presumably this assessment will be published.

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 stakeholder arrangements are a concern. Experience has shown that Government stops listening the moment stakeholders take a different approach to Ministers or their civil servants. We are seeing exactly this problem with Glastir Woodland Management.

It is critical that there is effective stakeholder input regardless of how palatable that is to Government.

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

The current system of regulation is bureaucratic, disjointed, time consuming and expensive.

The proposal to self-regulate is welcomed. There needs to be a much better system for regulation based on risk rather than, as at present, each department considering their area of regulation to be the most important and not considering how it might relate to other disciplines.

The approach of the case officer should be positive and risk based weighing risks against benefits. The ethos should be to find practical solutions to problems.

If the Single Body can solve the problems of the current system it will do much to encourage woodland management, as some private owners are unwilling to deal with the bureaucracy and cost of the current arrangements.

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

No other comments

RHYL & St ASAPH ANGLING ASSOCIATION

Bon Amie

28 Ffordd Tanrallt

Meliden Prestatyn

Denbighshire LL19 8PS

Formal Response to Welsh Government Consultation Document- Natural Resources Wales

20th April 2012

Dear Sir

Background

The Rhyl and StAsaph Angling Clubs (Fed) was formed in 1947 to represent the Game Fishing Interests of Anglers in the Vale of Clwyd on the river Clwyd and Elwy. We only found out about the Consultation Document by accident not through official channels.

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 some 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.

It must be pointed out that we believe that Angling is worth upward of £100m p.a. to the Welsh economy. An argument that monies invested in preserving, promoting, improving and maintaining this important industry could increase this income further. The proposed saving of £69m over 10 years when viewed against what an equal investment for growth could achieve is not in our view a great saving.

Specific Comments

Our club in principle support 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

It is vital that a large organisation remains in touch with the grass routes through regular meetings with interested parties. Good local delivery is of paramount importance if this new body is to be successful.

As a body representing angling interests we are concerned that the current Rod Licence fees are spent for the protection and improvement of fishing in Wales. We have long held concerns over capitation, Rod Licences purchased in Wales should be spent in Wales and that there should urgently be some financial recognition that licences purchased in England when the purchaser uses that licence to fish in Wales. Wales should be credited for that activity. This can easily be done from better management of catch returns that shows fishing locality.

Many of the failures under the Water Framework Directive are linked to farming issues and therefore there is much more that needs to be done to rectify these problems. There needs to be very close links between the New Body and the farming interests with initiatives for improvements encouraged, guided and partially financed. Where necessary, legislative powers should be used to allow for much greater control.

Pest and Diseases. The Club 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.

One major factor in the decline of migratory fish species, is the lack of ability to control predatory birds particularly cormorants. River Trusts together with those who care about our river system. They spent a tremendous amount of time and energy improving the Habitat, Spawning tributies, Barriers to migratory fish, in the river systems in Wales. All this is none ruminative. This enthusiasm and very hard work is undone. This happens when the migratory smolts go to sea, they are picked off by lines of cormorants. On our own estuary on the Clwyd 74 cormorants were seen and filmed lining the estuary shore line

This farcical situation must not be allowed to continue and must be addressed urgently.

Marine Licensing. We strongly support the transfer of this responsibility to the new organisation. Inshore fishing is of particular concern and a ban on commercial fishing should be imposed within costal waters of one mile from low tide water mark.

How the new body is going to be better than the old on achieving the goals. A key target, as well as protecting the environment, is the need to develop the Welsh economy. How the management of the environment is undertaken has a key influence on the Economy. Tourism is not mentioned, For example fishing in Wales is worth 100m to the economy yet it is another key category for increasing prosperity in Wales, but it does have impact on the environment.

The Club also has concerns with the proposal to wind up the statutory FERAC and the Advisory LFaG. At any one time members of the Club are active participants of one or

both of these bodies. Local issues discussed at grass routes level are brought to the attention of the larger committees. Many successful initiatives emanating from the Federation have been brought to the attention of these bodies. Loosing the localism link with no current replacement we strongly object to. A large organisation can easily become very distant and local contact must be maintained. Good local delivery is essential.

We would like to make the comment that where ever possible the use of straight forward language The overuse of these 'buzz' words/phrases – 'Ecosystem' approach /'sustainability etc, are very much open to misinterpretation They need to be defined clearly so everyone knows the actual approach being taken as compared to other options. The phrasing of some of the questions in your document made it difficult to understand what you were really asking?

Should you wish us to give any further details on some of the issues we have raised we would be very willing to oblige.

Hon Secretary

A handwritten signature in black ink, appearing to read 'M.H. Fowell', written in a cursive style.

M.H.Fowell

Land Agent:
T. L. Till, A.C.A., F.R.I.C.S. F.A.A.V.

**Powis Castle Estate Office,
Welshpool,
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26th April 2012

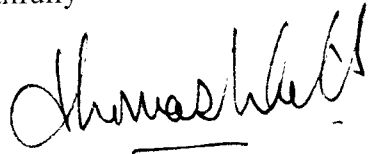
Living Wales Programme Team
Department for Environment & Sustainable Development
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Dear Sirs

Response to Welsh Assembly Government's Consultation Document on "Establishing
and directing a new body for the management of Wales' Natural Resources"
Reference – WG14766

Please find enclosed our response to your consultation document WG14766.
Acknowledgement of receipt would be much appreciated.

Yours faithfully



Enc

Land Agent:
T. L. Till, A.C.A., F.R.I.C.S. F.A.A.V.

**Powis Castle Estate Office,
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Response to Welsh Assembly Government's Consultation Document on
"Establishing and directing a new body for the management of Wales' Natural
Resources"
Reference – WG14766

We write as the body which manages approximately 15,000 acres of land in Mid-Wales comprising a mixture of farmland, woodland and still waters.

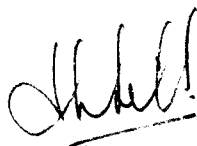
Our views are as follows:-

1. There is the potential, we stress potential, for a single streamlined unified body to operate and meet the 21st century needs of "customers" (taxpayers) though on past performance we remain sceptical that WAG can or will deliver what will be required due to the ever present reluctance of middle management to instigate meaningful change.
2. We are not against the formation of a single body in principle – there could be advantages to Wales provided:-
 - There is no infighting between the former EA, CCW and FCW
 - No bureaucratic empire building
 - The department's attitude is a positive one towards change and not maintaining the status quo
 - Responsibilities are clearly defined and understood by all staff
3. WAG can do what it likes with Forestry Commission woodland but we plead that it should not over-regulate private sector woodland and land management. Please trust that those professionals charged with managing woodland and the landscape to do it responsibly.
4. As a general principle WAG should aim to do and to regulate LESS and to find a way to simplify, rationalise or scrap existing regulations. Regulations seldom deliver public benefit but conversely adversely affect the economy by stifling entrepreneurship.
5. Under a unified body private forestry in Wales must continue to have high profile, pro-active representation and support and be administered by knowledgeable and experienced personnel in this sector.

6. Forestry Commission Wales must be expected to comply with the same regulation and operational constraints imposed on private forestry operators. FCW must also operate commercially and with unambiguous financial reporting on its business activities.
7. Within the unified body there must be expertise that understands the needs of the Welsh forestry sector (excluding FCW).
8. Self-permitting within a unified body – Public and private sector initiatives should be subject to the same permit regime with information made available to the public. Too often there is one rule for private enterprise and a more lenient one for public sector activities!
9. Departmental funding – 7.5 says departmental funding should include “timber sales”. No department should rely on income generated by a trading activity to cover overheads. Revenue from timber sales must be reinvested in FCW woodland in order to retain its asset value otherwise WAG is merely asset-stripping. We know from history that timber prices fluctuate and any sudden falls in revenue will leave departmental budget shortfalls. This is not sound financial management.
10. There is no real case for WAG to continue ownership of such a large area of forestry within Wales. Except in certain specific locations or for specific purposes, there is no justification for maintaining the Commission’s subsidy. We believe between 50% and 80% of the forest holding could, indeed should, be sold off to raise capital for the Assembly to invest elsewhere and for much greater public benefit e.g. in national infra-structure.
11. All activity and initiatives by the new department should be assessed for cost/benefit. Far too much WAG expenditure is wasteful and, in the current climate, unaffordable. Any new body must be scaled down, more efficient and assessed annually on what it **actually delivers** (i.e. the department should not write its own Annual Report which too often is self-deluding, self-congratulatory propaganda). Please refer to FCW’s Annual Report as an example.

In conclusion, the new body should seek to do less, reduce complexity, cost less, be managed to deliver what it is charged with more swiftly, be fully accountable to external performance assessments and set new levels of good governance in the 21st century, with Wales showing the way as to how it can and should be done.

One final plea, please get Europe off our backs! If you can’t, can we rely on the Assembly to interpret EU Directives with the so-called “light touch”. This isn’t happening and far too much economic activity in Wales is being suppressed as a result.



T L Till FRICS

26th April 2012

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

Sent: 30 April 2012 14:20

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:

Mr Tommy Evans

Organisation (if applicable):

Email / telephone number:

gtevans1@aol.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?:

Do not agree with the proposals to bring the 3 bodies together. Could make sense to put the E.A and C.C.W together, but it is essential that the F.C.W is a separate entity with a commercial basis.

The F.C.W needs to work as a commercial concern maximising planting, thinning, maintenance, harvesting and marketing of top quality timber. If this is done the value of the crop could be increased by £4-6 million annually. The granting of licenses needs to be done by a small independent department.

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?:

By not including Forestry.

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

By not including Forestry.

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

Keep it free of bureaucracy.

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

Leave the function described in tables 1-3 to E.A and C.C.W

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?:

Keep Forestry Research.

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

No

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?:

Appoint proper auditing.

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?:

Appoint a competent CEO and make him/her really responsible for the outcome.

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

Cut the bovine dungmongering to zero.

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

To think that if the new body is going to save money, just check on what has happened to previous reports, initiatives, etc.

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

Sent: 30 April 2012 14:50

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:

Mr David Brewer - Director General

Organisation (if applicable):

Confederation of UK Coal Producers (CoalPro)

Email / telephone number:

admin@coalpro.co.uk - 01924 200802

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 Confederation of UK Coal Producers (CoalPro) represents member companies who produce over 90% of UK coal output including a similar proportion in Wales. CoalPro supports in principle a single environmental body for Wales although there are risks which the consultation document recognises. A single body should reduce much of the duplication which currently exists and be more transparent overall.

However, care must be taken to ensure it encompasses the full range of skills required. Particular attention should be paid to ensuring such a larger body does not become excessively compartmentalised or overly bureaucratic to avoid issues being "lost in the system".

One difficulty currently experienced in dealing with the three existing bodies is that timely responses are not delivered, e.g. in relation to major planning applications. Specific measures to ensure this problem area is dealt with would be particularly welcome to the business community. Necessary cultural change should also be addressed. Whilst recognising the staffing implications of merging bodies, consideration should be given to importing management expertise from other sectors, public and private.

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 phased approach is essential if disruption is to be avoided. However, as set out, the approach concentrates on legal and administrative matters. A wider view is necessary, encompassing the need to maintain effectiveness in dealing with third parties.

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 short answer is yes but the principle aim and strategic outcomes are driven by the strategic ecosystem approach. Within this overall approach, the need to foster economic development must be given more prominence. Without this, achievement of the strategic outcomes will be jeopardised and the benefits as a whole for the people of Wales will not be optimised.

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

CoalPro supports the overall approach to the delivery framework but emphasises the need for the link between environmental management and the presumption in favour of sustainable development to be clearly recognised and built in to the framework. There is an obvious tension between pursuing macro environmental objectives whilst avoiding excessive control over development. CoalPro emphasises the need for this to be carefully managed. The consultation says much about meeting governance targets and too little about customers' needs, meeting customers' deadlines and the need to develop solutions as opposed to dealing with problems. Above all, CoalPro detects a risk that the new body may attempt to extend its remit too far. The temptation to do so should be resisted.

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

Tables 1 and 3 are reasonable but Table 2 appears to be very general, and the matters therein potentially very widely applicable, and warrants more explanation and qualification.

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?:

CoalPro does not see benefit in changing current functions and supports option (ii).

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

Yes, in particular the need for it to be led by the Welsh Government. Emphasis on the need for research to be cost-effective would be beneficial.

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. CoalPro emphasises the need to ensure the new body is independent of any political dimension.

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:

CoalPro strongly supports the proposed approach. We find the proposal to establish local committees interesting provided they are fully representative, including businesses.

CoalPro finds these to be satisfactory.

CoalPro recognises that this consultation document cannot deal with specific sectoral issues. Nevertheless, we urge that the complex and inter-related issues relating to minerals in general, and coal in particular, be given specific recognition as the new body emerges and develops.

From: Peter Heard [chairman@fpnp.org.uk]

Sent: 30 April 2012 15:03

To: SEB mailbox

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

Attachments: Chairman's Letter of Response - SEB.docx

Carrie M oss

I attach the response of the Friends of Pembrokeshire National Park to the consultation document entitled Natural Resources Wales. You will see that we have chosen not to respond to all the questions set out in your consultation document focusing instead on those we consider to be most important for areas of protected landscapes.

Please note that the views expressed in this response have the full support and agreement of the Brecon Beacons Park Society together with that of the Snowdonia Society. We would also be very happy to provide further information on the matters we have raised and to discuss them with you.

Best wishes

Peter Heard

Chairman FPNP

Friends of Pembrokeshire National Park

www.fnp.org.uk

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(Tel: 01239 820531 or from overseas 0044 1239 820531)



Chairman: Peter Heard
Tregynon
Gwaun Valley
Fishguard
SA65 9TU

01239 820531

chairman@fnpn.org.uk

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

29 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

1. The Friends of the Pembrokeshire National Park [FPNP] is an independent voluntary charity committed to help protect, conserve and enhance the Pembrokeshire Coast National Park for all to enjoy. We welcome the opportunity to respond to the consultation on the proposed Single Environment Body [SEB]. However, we are surprised that the consultation is taking place in advance of deciding what the new approach to natural resource management will entail. This has made it difficult to respond to the consultation and it may well be that our views will evolve as the detail emerges.
2. As implied by its name FPNP’s interest lies in the long term future of the Pembrokeshire Coast National Park – one of three designated in Wales for their outstanding natural beauty and the opportunities they offer for the enjoyment of their special qualities by the public and one of eight protected landscapes [National Parks and AONBs] in Wales, which together cover 25 % of Wales’ land area. Of these eight protected landscapes five of them [Pembrokeshire and Snowdonia NPs and the Anglesey, Gower and Llyn AONBs] derive many of their special qualities from their association with the marine environment. Furthermore these protected landscapes are places where natural and cultural resources come together and are recognised as being of considerable importance for the economy of Wales – The Pembrokeshire Coast National Park alone generates £68 million annually and supports 4600 jobs.
3. In coming to its view on the proposals FPNP has assessed them for the extent to which the terms of reference for the proposed SEB:
 - embrace the long term conservation and enjoyment of these protected landscapes
 - provide a clear link to the cultural and historic environment
 - ensures that the link between land and sea are properly forged where the protected landscapes have a marine dimension
 - make it possible for the managers of protected landscapes to be important deliverers at the local level
4. Overall the FPNP do not consider that the proposals for the SEB fully address the four matters set out above.

5. In response to Question 2, FPNP broadly welcomes the intentions behind the creation of the SEB to carry the torch for the long-term sustainable future for the environment and natural resources of Wales. However, they are very concerned that the matters referred to in the 2nd paragraph of Section 2.2.1 do not include landscapes and seascapes, recreational access to land and sea and, of particular interest to us, any reference to the protected landscapes of Wales. These are serious omissions, especially as CCW current statutory functions embrace these issues and in the light of Minister's statutory duty to have regard to the purposes of National Parks and AONBs in performing any function in relation to them.

6. We are also particularly concerned that the document depicts National Parks, insofar as they are mentioned at all, as having a conservation role. From the outset in 1949 they were designated for the recreation opportunities that they provided and it has been confirmed in subsequent legislation that their statutory purposes include the enhancement of the natural beauty, wildlife and cultural heritage. Furthermore National Park Authorities have a statutory duty to foster the social and economic well-being of their local communities.

7. Of further concern in the context of landscapes and seascapes is the seeming lack of recognition of the fact that Wales is a signatory of the European Landscape Convention. FPNP believes that one of the SEB's main tasks should be to lead the delivery of Wales' response to the Convention.

8. With regard to the purpose of the SEB set out in Section 4 we note that the vision for it is of

“an independent, respected, professional body that plays a central role in the future sustainable development of Wales, fully equipped to ensure the best, most sustainable use of our natural resources, the land, air, water, and biodiversity of Wales, for long term public benefit.”

9. Whilst we support the broad thrust of this vision we cannot endorse it in the absence of any reference to the natural beauty of Wales [25% of which is designated as National Park or AONB], to the cultural and historic environment with which it is so closely connected and to the public's enjoyment of it. If, however, the term 'natural resources' is to be used then it should be made clear that they include landscapes and seascapes.

10. We also support in broad terms the aim and strategic outcomes for the SEB set out in Section 4. However, in response to Question 4 we consider, in the light of comments made above, that improvements could be made to the aim to give greater focus to the aim of the SEB as the torch bearer for the environment and natural resources of Wales. We suggest that the second half of the aim is deleted, since it is repeated in Outcome 1 and that the first half is amended to read as follows:

“To protect, enhance and develop the responsible stewardship of Wales' environment, natural resources and landscapes both be they on land and at sea”

This would make it absolutely clear as to the focus of the SEB and would provide a useful framework for the outcomes that are described in the consultation. If this revised aim were not acceptable, at the very least, an additional strategic outcome should be included to reflect the natural beauty of Wales, its landscape, aesthetic and cultural value.

11. As to the functions of the SEB, in answer to question 6, the reference to the conservation, restoration and enhancement of the landscapes and seascapes of Wales is to be welcomed. However, in the light of our comments above, we do not consider this to be sufficient, most of the functions will in fact be undertaken within the framework provided by landscapes and seascapes. This is particularly the case in the protected landscapes of Wales where their statutory management plans cover many of the issues that the SEB will be addressing.

12. One particular function needs to be clarified – the role of the SEB in preparing the national resource strategy and the local resource management plans. In paragraph 5.3.1 a distinction is made between the strategic policy function of the WG and the operational function of the SEB. In the same section [final paragraph] it is stated that the SEB would be integral to effective policy development. In answer to question 7 we would strongly advocate that the SEB, as the torch-bearer, should play a central role in the preparation of these plans and in their subsequent delivery, if they are to be integral to policy development. In the context of the development of the local resource plans, we would commend the potential for those managing protected landscapes, especially National Park Authorities as special purpose local authorities, to play a full role. They already produce statutory management plans, which could form the basis for the local resource plans. It should also be said that they also have the potential for being leaders in the delivery of these plans. This should be reflected in the terms of reference of the SEB.

13. Also in answer to question 7 FPNP considers that it would be entirely consistent with its role in delivering integrated land management for the SEB to run the Glas Tir scheme.

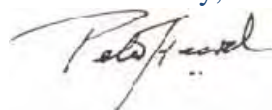
14. In response to question 9, FPNP supports the proposed independent operation of the SEB. Whether a Board of 12 people could have sufficient expertise is a matter for concern. It might be appropriate for advisory boards to be established to ensure that the main Board has advice from around Wales on all the main areas of its work. An Advisory Group addressing, for example, landscapes issues[including protected landscapes] could be of great value to the SEB

15. Finally in response to question 10, FPNP welcome the recognition of the need to engage with a full range of stakeholders. Whilst we accept that the nature and form of engagement should be non-statutory and have flexibility, the SEB should be required to develop and implement a scheme as to how it will engage with stakeholders. In this context it is particularly important that the SEB and CADW are required to work together, as the cultural and historic resources of Wales are so closely intertwined with its landscapes and seascapes.

16. To conclude FPNP recognises that significant benefits could arise from the establishment of the SEB, especially from the holistic and integrated view of the environment and natural resources that it is intended for it. This will not be achieved if landscapes and seascapes, especially those already recognised as being of national importance are not seen to be at the heart of its responsibilities.

17. Please note that the views expressed in this response have the full support and agreement of the Brecon Beacons Park Society together with that of the Snowdonia Society. We would also be very happy to provide further information on the matters we have raised and to discuss them with you.

Yours faithfully,



Peter Heard
Chairman

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

Sent: 30 April 2012 15:10

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:

Adrian Walls

Organisation (if applicable):

Private

Email / telephone number:

awalls@me.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?:

Undoubtedly there are core service functions that could be unified with little impact on the service users' immediate perception. But it is important that the new body clearly establishes how it will deliver its services, formulate policy and disseminate good practice, and operate a veto where it holds regulatory powers

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 think careful scrutiny of the previous process where the CCW was formed from the merger of the Nature Conservancy Council and the Countryside Commission in Wales. There was a decidedly top heavy NCC that dominated the process and subsequently there was a perception that conservation interests rode over the access development role of the CC where the two functions collided. The description in the document appears to focus mostly towards the big two, Forestry and Environment which should not hide the importance of the CCW or allow its most neglected function on advising and promoting access from sliding further back out of view.

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?:

There is little acknowledgment in the document about the role the body provides for improving access to the countryside and indeed the role access plays for delivery of many of the Sustainable objectives in Wales. With objectives such as the Walking and Cycling Strategy of the assembly coming from sustainable transport but increasingly linking the aspirations for health, tourism, recreation and conservation benefits of access to the countryside there may be sense in taking the whole of access and placing it alongside the delivery of sustainable transport so that the process of journey into the countryside from the home or hotel is largely seamless and sequential in the improvement of these opportunities, be they on road track path, open access or water

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

The function including increasing access should note that as an example should be "the advising and support of" and include the Local Access Forums as well as the public as recipients. In the managing of public land it should include the development and management of user recreational routes on public land. Added to this function or by creation of another should be recognition of the support bodies like the Forestry Commission provides to sportign bodies facilitating the opportunity to compete at up to International / Olympic level in Sports in Wales in Running, Orienteering, Cycling, Equestrian, Adventure , Water and Motorsports that is not available in the quality or quantity from the private sector often due to environmental constraints in rural areas in Conserved Landscape designation areas

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 do not think that given the greater diversity of roles that the board can be any smaller than at present maximum of 15 to ensure adequate balance of interests and experience are to be achieved so the boards decisions are respected and not dismissed as being blinded by voids in board members experience. A minimum of 15 should ensure a mix of members with technical and professional expertise and those with personal experience capability to offer other skills to the boards processes.

I am concerned still that the creation of the CCW placed a restriction on the development of improved Countryside Access where it did not suit the Conservation interests. There is evidence that this may be driven by regional or personal attitude but there remains faint signs of institutional constraint that access is stifled often on the basis of inconvenience of having to make a decision at all and it is simpler to say no than consider how access may create a wider community benefit and help long term conservation measures. A clear distancing between the functions might make the situation more open transparent and remove the impression of sometimes misuse of position to frustrate improvements of greater benefit to the wider community than conservation

From: Anthony Rees [tonyreesuk@googlemail.com]

Sent: 30 April 2012 15:36

To: SEB mailbox

Subject: Response

Attachments: Responce to New Body.doc

The South East Wales Rivers Trust.

Is sending the above response in Support of the Response by FERAC.

Tony Rees Chairman

President
Gareth Edwards CBE

Tony Rees MBE Chairman
South East Wales Rivers Trust
13 Alexandra Avenue
Merthyr Tydfil
Mid Glam CF47 9AE
Tel: 01685723520
E: mail
tony@mtaa.freeseve.co.uk
01/05/2012

Dear Ms Moss,

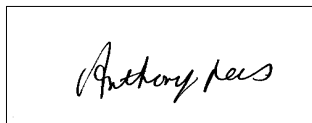
**Natural Resources Wales - Proposed Arrangements for
Establishing and Directing a New Body for the Management of Wales'
Natural Resources**

I am writing in my capacity as chairman of The South East Wales Rivers Trust to add our support to the proposals to establish a new body for environmental management in Wales combining the existing Environment Agency, CCW and the Forestry Commission. We have been consulted by the FERAC working group and endorse their comments.

As we work with community and other groups we have also had an input into the response by the Federation of Welsh Anglers and we again endorse their extra response.

We have worked well with these agencies concerned in recent years and have established a good understanding of the issues currently impacting on the aquatic environment here in the Eastern Valleys. We have a good track record for delivering environmental improvement schemes and look forward to playing our part within the new framework. We also hope that environmental issues will be viewed as a continuing priority for the Welsh Assembly Government.

Yours faithfully



Anthony Rees MBE Chairman

From: Andrew Marvell [andrew@ggat.org.uk]

Sent: 30 April 2012 15:41

To: SEB mailbox

Subject: Response to SEB consultation by the Glamorgan-Gwent Archaeological Trust Ltd

Attachments: AGMHER_Workspace.wor; SEB Consultation - A Living Wales Programme Carrie Moss GGAT Response 30-04-2012.pdf

Dear Sir/Madam

I attach a pdf of our response to the consultation on Natural Resources Wales - Proposed arrangements for establishing and directing a new body for the management of Wales' natural resources.

A hard copy of the signed response has also been posted to Carrie Moss.

Yours sincerely

Andrew Marvell BA FSA MIFA
Chief Executive
Glamorgan-Gwent Archaeological Trust Ltd
Heathfield House
Heathfield
Swansea
SA1 6EL

Tel 01792-655208

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Swyddfa Gofrestredig fel yr uchod. Cofrestrwyd yng Nghymru, Rhif 1276976 Cwmni Cyfyngedig trwy Warant heb Gyfalaf Cyfrannau.
Elusen Gofrestredig, Rhif 505609 Archaeolegol Cofrestredig, Sefydliad Archaeolegwyr Maes (IFA), Rhif 15

Os nad chi oedd fod derbyn y neges hon, neu os ydych yn weithiwr cyflogedig neu'n asiant yn gyfrifol am anfon y neges, nid yw ei datgelu, ei chopïo, ei dosbarthu na chymryd unrhyw gamau yn ddibynnol ar y neges yn cael eu hawdurdodi, a gall gwneud hyn fod yn anghyfreithlon. Os byddwch yn derbyn y neges hon trwy gangymeriad, cysylltwch â ni drwy anfon y neges yn ôl atom gan ddileu unrhyw negeseuon neu atodiadau. Eiddo GGAT yw'r e-bost hwn ynghyd ag unrhyw atodiadau, ac fe'i diogelir dan y gyfraith. Mae'r wybodaeth sydd wedi'i chynnwys, a all fod yn breifat a chyfrinachol, wedi'i bwriadu a ddefnydd y sawl y'u cyfeiriwyd atynt yn unig

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

30 April 2012

Dear Ms Moss

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

The Glamorgan-Gwent Archaeological Trust

We are one of four Welsh Archaeological Trusts working closely with other national, regional and local bodies, to help protect, record and interpret all aspects of the historic environment, and make the results available to the public. Our object is to advance the education of the public in archaeology and our primary focus is within South Wales.

We maintain the regional Historic Environment Record, and are retained by Unitary Authorities and other organizations to provide strategic advice, and also case management support where development proposals, agri-environmental, forestry and woodland schemes impact on the historic environment. We also carry out a wide variety of archaeological projects for public and private sector bodies, including environmental impact assessment, field survey, excavation and heritage interpretation.

The Trust has current advisory, consultative and commercial delivery relations with the Environment Agency, Countryside Council for Wales and Forestry Commission (Wales), but the nature and extent of these works varies from body to body. The advisory work is externally funded through grant-aid from Cadw as is consultative work not connected with specific projects. Commercial delivery is in the main in the form of assessments and related project work to support Glastir (and its predecessors). Historic Environment data arising from these works is maintained by the Trust through the regional Historic Environment Record, which for protection is owned by the GGAT HER Charitable Trust. The Trust also provides advice on historic environment aspects of maritime matters.

Our response to the consultation is by way of answer and comment to the numbered questions in the Consultative 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?

In broad terms the Trust welcomes the proposal. Wales has a political, national, and government distinction that underpins the proposal and which should enable clarity of purpose and consistency of approach as well as cost-saving benefits to both Welsh Government, partners, and stakeholders.



GLAMORGAN
GWENT
ARCHAEOLOGICAL
TRUST LTD



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Some ecosystems have developed as a consequence of past human intervention with the natural resources, and registers of human activity will be present in many. In delivering strategic outcomes as currently envisaged (particularly nos 3 & 4) the new body will need to be particularly aware of its need to deliver outcomes that at worst do not have a negative effect on the Historic Environment and preferably are ones that benefit it. The principle should also be taken on board in delivering the 'promotion of economic, social and environmental well-being' and the climate change mitigation/adaptation agendas.

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

The key from our perspective would be that 'other Government priorities' and the 'success statements' that are integrated into the delivery framework include robust interfaces with the delivery of the protection of the historic environment.

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

The functions set out in tables 1-3 seem to be a reasonable 'headline' summary of those required. However, they will clearly need further definition and in some cases (eg Conservation, restoration and enhancement of the landscape and seascapes of Wales) clarification of how those elements of the environmental delivery that are not part of the natural environment will be delivered by, and in conjunction with, other partners.

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 would agree with the separation of policy development and operational delivery between Welsh Government and the new body, but would expect that there would be mechanisms to allow the expertise of those charged with delivery to be beneficially used in reviewing the effectiveness of, or in refreshing/revising, policy.

We would support the transfer of the Maritime Licensing function 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?

Yes.

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 concerned that given the ecosystems approach driver and the tendency to use the terms 'environment' and 'natural environment' synonymously that there is, and will continue to be a need for greater clarity in how the proposed body relates to those delivering protection of the historic environment, which is part of the 'environment', and which has in the past and continues in the present to be a contributory part of ecosystems.

Many working in the historic environment sector during preliminary stakeholder consultations raised the concerns of the sector in this respect. We would hope that these have been taken on board, even though they have not been flagged up in section 2.4. We note in particular that currently, Wales-based staff at both the Forestry Commission and the Environment Agency are able to draw down advice and support from in-house archaeological staff based elsewhere in the United Kingdom, who also help to raise awareness of the historic environment within their parent agencies. Based on our experience with CCW in the matter of historic landscapes, we have some concerns that if restructuring results in the loss of this in-house expertise, there will be a corresponding diminution of awareness of the historic environment among staff whose primary focus is on the natural environment, unless either the new body provides this through appropriate in-house provision or strengthens specialist external consultative support.

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

The phased approach is a sensible one: there will inevitably need to be a 'bedding in' period both internally as staff from different organizations are brought together and externally as new communication pathways are forged with stakeholders and partners. The timeframe for delivery of the new body is relatively short, and whilst not surprising, there is little (published) detail to the planned phases. As this becomes available it will be important that stakeholders and partners are kept engaged and their input sought.

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 intend to comment in detail in response to the related 'Sustaining a Living Wales' consultation. We would agree that the proposal to deliver Welsh Government Strategies, the specific proposed *aim* of the new body, and the envisaged outcomes are appropriate for a body seeking to achieve sustainable development. However, we would re-emphasise our observation in regard to the careful use of the terms 'environment' and 'natural environment' and the need for good integration or interfacing with the protection and enhancement of the historic environment.

The proposed Sustainable Development, Environment, Planning and Heritage Bills will overlap and synergetic management of the process will be critical.

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 support the idea that the management board, whilst primarily selected for ability, should be able to draw down expertise from a wide base of disciplines or professions related to the work of the new body. We note that historic environment is not in the list of examples. We would also suggest that consideration be given to enabling the board to have the power, where it considers that it does not have the necessary expertise, to be able to draw in advice perhaps through an observer or assessor mechanism.

We note that responsibility for the Historic Environment lies outside the remit of the Environment and Sustainability Minister, but that much of the work of the new body will impact on it. We would therefore with respect draw attention to the need for appropriate consultation between Ministers and respective department officials and that, if appropriate, this is reflected in annual remit letters.

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?

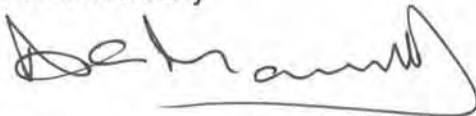
Given the wide range of functions that the new body will have we expect that it will need to consider how it interfaces effectively with stakeholders, on both a statutory and non-statutory basis. We would respectfully suggest that this might need to be achieved on a cross-cutting topic agenda basis as well as through local or regional formats.

We would suggest that one of the publicly stated aims of stakeholder engagement by the new body should be to seek synergies with bodies delivering on environmental programmes outside the natural environment.

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

We would suggest that Codes of Practice are drawn up to cover instances of dual consultation and delivery function, or self-permitting licensing, and appropriate guidance given to staff in respect to avoiding conflicts of interest and actions to take if potential or actual instances occur.

Yours sincerely



Andrew Marvell FSA MIFA

Chief Executive

For and on behalf of the

Glamorgan-Gwent Archaeological Trust Ltd

From: Frank Jones [frank.jones20@ntlworld.com]

Sent: 30 April 2012 15:44

To: SEB mailbox

Cc: Lloyd Evans; Roger Thomas; Tony Rees MTAA ; Richard White; Helen Johnston; Donald Patterson; Ian Thomas; John Stoner; huw evans

Subject: single body consultation

Attachments: 042512 Covering Letter for SEB response.doc

Please find enclosed a letter from Afonydd Cymru in support of the FERAC consultation response.

Please confirm receipt of this email and accompanying letter. Frank Jones



Afonydd Cymru
C/o Pembrokeshire Rivers Trust, Llys Afon,
Hawthorn Rise, Haverfordwest, Pembrokeshire,
SA61 2BQ
Tel 01437 783 070

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

Date: 30th April 2012

Dear Ms Moss,

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

Afonydd Cymru strongly supports the proposals to establish a "New Body" for environmental management in Wales. We have been represented on the FERAC working group that has been preparing a consultation response and fully endorse its content.

Providing the issues raised in the response are addressed, we look forward to the more integrated approach to sustainable management of the environment. This is essential to secure good ecological quality for the rivers of Wales and their ability to provide a wide range of ecological services that are so important to communities and the economy. As the response highlights, there are increasing opportunities for third sector organisations to assist the new body to achieve its objectives such as meeting the requirements of the Habitats and Water Framework Directives. To do this we need the continued support of the Welsh Government and the new body so that we can have an increasing involvement in improving the quality of Welsh rivers.

Yours sincerely

Huw Evans, Chairman
Afonydd Cymru Cyf

Afonydd Cymru Cyfyngedig

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From: Sarah_Slater@flintshire.gov.uk

Sent: 30 April 2012 16:13

To: SEB mailbox

Subject: Natural Resources - Consultation response from the North East Wales Biodiversity Network

Attachments: Natural Resources Wales - Consultation response from the North east Wales Biodiversity Network v2.doc

Please find attached consultation response on behalf of the North East Wales Biodiversity Network

Sarah Slater

Swyddog Bioamrywiaeth / Biodiversity Officer

Adran Amgylchedd a Chadwraeth / Environment & Conservation Section

Cyfarwyddiaeth Amgylchedd / Environment Directorate

Cyngor Sir Y Flint / Flintshire County Council

Neuadd y Sir / County Hall

Yr Wyddgrug / Mold

CH7 6NF

Ffon / Tel: 01352 703263

e-bost / e-mail: sarah.slater@flintshire.gov.uk

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message that do not relate to the official business of

Flintshire County Council shall be understood as neither

given nor endorsed by it or on its behalf, and consequently

Flintshire County Council shall bear no responsibility

whatsoever in respect thereof.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na

chasgliadau nac unrhyw wybodaeth arall yn y neges hon,

nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo

nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn

unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

Opinions advice, conclusions and other information in this message that do not relate to the official business of Flintshire County Council shall be understood as neither given nor endorsed by it or on its behalf, and consequently Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

Dee llir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol Cyngor Sir Y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac areirian, ac felly ni fydd Cyngor Sir Y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

Natural Resources Wales: Proposed arrangements for establishing and directing a new body for the management of Wales' Natural Resources: Consultation response from the North East Wales Biodiversity Network.

23rd March 2012

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 creation of an integrated environmental body has potential to be very positive for conservation in Wales however it is important that we retain what is already working within the 3 separate organisations and improve or change ineffective or overly bureaucratic processes. The gaps between the agencies need to be filled-in effectively, retaining the "best bits" of all.

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 is value in the existing local offices for each organisation enabling access and regular contact with staff from all 3 organisations. Concerns have been raised that this access to local staff and expertise could be reduced, limited or lost in the new body, if this was to happen it would almost certainly have negative impacts on local service delivery. It is important, therefore, that a local office network is established to enable service users convenient opportunities to discuss problems and issues.

It is essential that the new body does not become purely regulatory; it should be responsible for regulation, vision and innovation. For example, CCW currently has experimental powers to undertake research that it considers important. Forest Research also undertakes invaluable research in tree health and climate change and provides essential technical advice on topics such as flood alleviation and promoting natural woodland regeneration. These are important elements that should be retained in the new body and in Wales.

There is concern that the new body would not be independent of the WG and would therefore be restricted by the WG. It is important that the new body is independent from WG and an Appointed Board should be able to ensure this independence is recognised. The new body should be seen as independent and advisory to WG.

The new body needs to have grant giving and research powers. These powers should follow from the role of the new body as an independent advisor to the Welsh Government.

A real improvement would be to bring consenting timetables in line with the relevant planning consent/committee timetables for the planning applications in question. This would ensure that all information is available to the "competent authority" to undertake an appropriate assessment or it could be undertaken jointly.

A suggestion would be to unify consents into one issued by the new SB which would have a separate planning support function dedicated to this. Such functions would need to have close association with the LPA emphasising the need for local offices or even relevant SB officers being based in each LPA.

Need to ensure continuing support is received for LBAPs and Wales Biodiversity Partnership. The Wales biodiversity frames (ecosystem groups etc) has recently started to work well, for example producing priority habitat maps, working with academics to direct research, so there needs to be a commitment for this to continue.

Currently local biodiversity action depends heavily on grant aid from CCW in particular – there is no mention of what the grant-giving powers of the single body would be. This is concerning, as without grant aid from the single body, local biodiversity action would be severely impaired.

In particular, we don't want to lose in the detail of the new body the role of LBAPs & LRC's and recorders, volunteers and associated expertise, local knowledge and enthusiasm. Many aspects of the current arrangements are supported by grants from the 3 existing bodies who also provide invaluable advice, guidance and information (two-way communication) which as a whole form an invaluable partnership network and a considerable environmental & social asset.

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

General feeling is that the timeframe for the changes is very ambitious.

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

Proposals should ensure that the environment is able to deliver a healthy effective future ecosystem; this should be the main priority and should be included in the aim. A healthy diverse ecosystem, that is able to function resiliently in the long term, should be the principle aim of the single body.

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

There is a need for a strategic spatial plan framework to set the context and a requirement for appropriate skills at a local level.

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

The 2020 Biodiversity objectives are not addressed in the functions described,

Research functions and monitoring functions are not covered in the tables

Conservation and invasive species grants are not covered in the functions, at present these grants fund a high proportion of local conservation project delivery.

Question 7: What are your views on our proposals for changes to Welsh government functions, including Marine and Wildlife licencing and tree and plant health? How could they be improved? :

We can see real benefits to the single body dealing with all marine and derogation licencing, particularly with respect to sites such as the Dee Estuary. However we feel there are a range of statutory organisations in existence which have not been considered, what is the role of CEFAS for example?

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

While we agree WG must be aware of single body research requirements and vice versa. The single body must be able to commission its own research without the sanction of WG. What about Defra commissioned research? The role of other organisations research cannot be compromised e.g. FERA

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 agreed that the single body must have an independent board.

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? :

Without any further information we would broadly agree. Local flexibility to take local circumstances into account is essential. Local biodiversity action planning and partnerships are key stakeholders and NEF delivery mechanisms.

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

There is concern that the document has vastly underestimated the number of consents the single body will be responsible for issuing to itself.

There was also discussion around transparency and monitoring of the single body. It would not be appropriate for the single body to issue its own consents. A possible suggestion would be a separate WG unit which could monitor decisions and issue the single body with consents therefore avoiding the single body permitting its own activities.

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

There was concern that a new charge may be applied to conservation licences. This would not be considered a positive move. This consequently raises issues of also charging for SSSI and SAC consents/assents. This is likely to compromise required conservation management, thereby negating the core objectives of the NEF.

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

Sent: 30 April 2012 16:20

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:

Sean McHugh

Organisation (if applicable):

Email / telephone number:

sean.mchugh@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?:

It's an ambitious step which has the potential to reflect the Welsh situation & cultural identity. It has the potential to harness the expertise of the 3 current organisations and relevant stakeholders and reduce duplication therefore the ambition is laudable. The cost of bringing the 3 bodies together and subsequent operational costs needs to represent good value to the Welsh tax payer

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?:

Greater emphasis on local record centres, local & regional biodiversity & environmental partnerships needed. There is a brief mention in section 6 but needs to be stronger as there is considerable expertise, knowledge & enthusiasm in conjunction with local delivery. The relationship between the new body & local authority ecologists requires clarification. It would be prudent to consider bringing marine and fisheries into the new body. Safeguards relating to independence of the body are noted but require further clarification

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

A sensible idea

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 new body has the potential to inform & develop the ecosystem approach & harness current all approaches to deliver a truly sustainable approach to land & sea management across all sectors

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

The delivery framework concept is a good starting point; the one presented is illustrative and would need further refining e.g Wales commitment to UN & EU biodiversity & ecosystem targets needs to be reflected. Mechanisms to support (MoU;financial) the various existing ecosystem & species groups (BAP process),LRC's, local authority & voluntary sector organisations engaged in activities around natural resources needs to be addressed

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

It's a useful summary. Mention of contribution to EU & UN biodiversity & ecosystem targets would be prudent.

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?:

A sensible idea to streamline the licensing process and introduce safeguards for potential conflicts of interest.

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

A sensible idea to coordinate 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?:

The additional support & scrutiny of the new body in the early years is welcome.

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 development of a stakeholder plan with links to local groups is welcome though more detail on the nature of engagement is required. The role and importance of local record centres, local biodiversity partnerships & volunteers should not be lost in the new approach

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

Some sensible ideas in here to retain independent decision-making and transparency of decisions. Overall it must retain public confidence and the confidence of stakeholders who will be engaging with the new body.

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

Mention of funding arrangements to conserve the natural environment would be welcome. Existing funding arrangements are vital for the operation of local biodiversity partnerships & local record centres. Overall an ambitious and far-reaching objective which is to be applauded

From: Maxcoventry@ aol.com

Sent: 30 April 2012 16:23

To: SEB mailbox

Subject: Response to W G 's consultation document Natural Resources Wales

Attachments: Response to the Welsh Government.docx

Dear Sir or Madam,

I enclose as an attachment our response to the Welsh Government's public consultation document to do with the proposed arrangements for establishing and directing a New Body for the management of Wales' Natural Resources.

Yours faithfully

Max Coventry

Response to the Welsh Government's Public Consultation Document to do with the proposed arrangements for establishing and directing a New Body for the management of Wales' natural resources.

This response is submitted to the Welsh Government by Max Coventry on behalf of the Welsh Rivers Preservation Society / Cymdeithas Gwarchodaeth Afonydd Cymru.

Having considered the proposals released by the Welsh Government and having seen the reply made by the Fisheries, Ecology & Recreation Committee for Wales (FERAC), we would like to make clear our support for FERAC's response. However, we would also like to make the following supporting points and additional suggestions as below :

1. The over-riding reason for the existence of the proposed unified body should be to protect and enhance the natural environment within Wales. As we understand it, this was/is the underlying purpose behind EAW and CCW – although less so with FCW. We think it is essential that the protection of the environment and in particular the protection and enhancement of the ecology which sustains the native fauna and flora should be written in as the main statutory duty of the organisation. A clear sign of the main purpose of the new body would be to include the word "environment" in its name.

It is the responsibility of other bodies, including government departments, to concentrate on, for instance, increasing employment in rural areas; facilitating the building of affordable housing; encouraging greater use of natural resources by the public and so on, but, the unified environment body must have as its over-riding raison d'être the protection and enhancement of the Welsh countryside. If this is not the case then we believe that Wales will become steadily ecologically and culturally poorer.

In the future it is inevitable that the pressure to 'develop' the wilder parts of Wales will increase in the way of building more houses or roads or abstracting more water from rivers to supply extra housing or industry – those pressing for this may, or may not, have good arguments, but it is essential that Wales has a powerful body which will robustly argue in favour of an undiminished natural environment. This will mean that a fair balance of views will be aired, which surely makes correct planning decisions and a suitable overall developmental strategy more likely to be achieved in the end.

2. It seems to us very important that fisheries should be properly represented on the unified body and that the significance which native Welsh fish and angling have to Wales, both economically and as part of the heritage of the country, should be recognised in the composition of the unified body.

It seems to us that the welfare of native Welsh fish is often overlooked – possibly because they are less visible than for instance red kites, less supposedly cuddly than otters, less iconic than say great crested newts. Because they tend to be out of sight and therefore out of mind, we think they are often overlooked. Thus, a species such as the smelt (*Osmerus eperlanus*) seems to be dwindling to extinction in Wales with – so far as I know – no significant WG/EAW/CCW funded investigation into this.

In a rather similar way, it is sometimes overlooked that angling clubs in many cases do more than any other bodies, governmental or otherwise, to try to ensure that water in Welsh rivers is clean and it is often these clubs (together with angling organisations such as Fish Legal) which bear down on pollution and polluters – at least as much as current consent and to an extent abstraction licences allow.

Bearing these factors in mind, it seems to us that the structure of the new body should – in relevant parts at least – reflect this situation. We therefore think it is essential that:

- (a). there is someone on the Board of Directors of the new body whose prime task is to represent fish and fisheries as well as the angling fraternity;
 - (b). if FERAC is to be disbanded, a new committee must be brought into being so as to provide a national conduit of information from angling clubs and national angling organisations to the unified body, as well as to give advice to the new body on fish and fisheries;
 - (c). existing Local Fishery Groups should be maintained as important communication points between local fishery interests and regional branches of the new body;
 - (d). sea fisheries regulation around the coast of Wales should be part of the remit of the combined organisation – particularly as many Welsh fish spend part of their lives in Welsh rivers and part in the sea.
 - (e). the new body should be funded and organised in such a way that it is in a position to carry out its own research so it can plan its operations more accurately.
3. It is clear that past farming and land-use practices have been the cause of numerous sorts of pollution, such as over-sedimentation, sheep-dip pollution, cattle slurry, acid spikes and so on. We think that the new body should be set up so as to have a strong and direct input into WG strategy and legislation in this area.

4. We are sure the new body should be organised in such a way so that it can begin a review of all consents granted to water companies and other bodies which treat sewage and, as part of their licence, have a consent to discharge raw sewage into Welsh rivers. Many of these consents, issued by EAW, allow companies which own sewage treatment works to discharge untreated effluent directly into Welsh rivers if there has been a certain amount of rain, or if their treatment equipment fails or if a variety of other factors takes place.

This extraordinarily lax situation may have been acceptable in years past but nowadays it is intolerable. Every time there is a major raw sewage discharge into a river which is reported in the local press along with the commentary that the water company involved is actually allowed to do this in certain circumstances, there is public incredulity and outrage. Also, from a pragmatic point of view, such a situation will make it very difficult for this country to reach Water Framework Directive levels of cleanliness which will be required and (because such sewage discharged into rivers often ends up around the coastline) our beaches cannot be awarded the 'clean beach flag' which would encourage tourism and help local business.

We simply ask that the new body is set up in such a way that it is able to review existing consents with a view to work towards a position whereby those times or situations where owners of STWs are allowed to discharge raw sewage into rivers are greatly restricted or, ideally, stopped altogether. We also ask that the new body is able to impose severe enough penalties on those who flout the license conditions that water companies will be persuaded to invest in new equipment/sufficiently large holding tanks/extra road transport or whatever to stop such pollution happening in the future.

5. It is clear that the EAW has downgraded enormously the enforcement aspects of its duties to protect fisheries and stop illegal fishing (ie poaching). For instance, across north Wales, the EAW after it was formed had something like 40 to 50 water bailiffs who could act independently. There are now, I understand, 5 enforcement officers who have to work in pairs, so, in effect there are only two. These have to try to deal with all illegal fishing incidents throughout north Wales including the Dee Estuary where illegal cockling is an annual problem.

Continuing poaching of salmon on many rivers and the new problem of coarse fisheries being stripped of their fish by those who have come over from Eastern Europe means that this paucity of enforcement must be reversed and we think that this should be reflected in the departmental makeup of the new body.

6. We very much hope that a single environmental body which should have sole responsibility for dealing with wildlife licences will result in a simpler and more efficient wildlife licencing system. We are thinking here particularly about licences given to shoot piscivorous birds (esp. cormorants & sawbill ducks) to stop them causing damage to fisheries.

We have had experience of many situations where it has been impossible to prove 'damage' by these birds (which, in effect is currently required) so that licences have been withheld, even though it is clear to almost all that significant predation is occurring. We ask that guidelines for the issuing of such licences in the department responsible in the new body incorporate the 'Bradshaw Amendment' as adopted some years ago by DEFRA, which sensibly accepts that if such fish eating birds are on the water they will be eating fish and so damaging the fishery (so damage does not have to be demonstrated by evidence which in practice is unobtainable).

It is also essential that the licencing guidelines take account of the situation where increasing numbers of a predatory species may need to be curtailed to protect a native species which (partly due to such predation) is becoming very rare or even close to extinction within Wales. The preyed upon species should not need to be on any international endangered list; it is its status in Wales that should be relevant here. I have had first hand experience of licence applications sent to WAG to shoot (as an aid to scaring) cormorants to try to protect the few remaining smelt in the Conwy, only to have these applications passed back and forth between WAG and CCW with input from EAW, but with no-one seemingly clear about which organisation – if any – had the authority to grant such licences.

We are also sure that it would be sensible for the guidelines to indicate that – in the case of licences granted to shoot piscivorous birds – the numbers allowed to be shot are likely to make a statistical difference. It is only in this way that the results of such shooting can be measured and monitored and the perceived benefits or otherwise judged.

We are not asking for a framework where more of such licences are necessarily granted; we ask for a departmental arrangement in the new body in which the decision process over granting licences is based upon clear and sensible guidelines which encompass all situations likely to arise with these procedures within Wales.

I hope the above is helpful, please get back to me if any further information is required.

Max Coventry

Tel. 01352 720152; email: maxcoventry@aol.com

30th April 2012

From: Mike Scottarcher [mikescottarcher@gmail.com]

Sent: 30 April 2012 16:24

To: SEB mailbox

Subject: Living Wales

Dear Carrie,

You have received Jean Rosenfeld response. As acting vice-representative of the Wales LAF's Chairs I am very pleased to endorse his response to you with one minor addition.

Question 4 on aim and strategic outcomes:

to Jean's addition to 4.4 as 7. I would include 'natural and historic'

7.Develop policies to promote and protect *natural and historic* landscapes and seascapes deemed to be of national or regional importance and promote opportunities for their enjoyment.

With the new Heritage Bill under discussion it is important that the new 'body' has a clear remit to protect the Historic Environment, and to consult with appropriate bodies such as CADW, RCAHM, Archaeological Trusts, CBA(Wales) etc.

Mike Scott Archer Chair Brecon Beacons National Park LAF

From: Gill Bell [Gill.Bell@mcsuk.org]
Sent: 30 April 2012 16:28
To: Correspondence Mail - JG; 'Susan Evans'; SEB mailbox
Cc: Gill Bell

Attachments: MCS SB response.pdf

Dear Ms Moss,

CC. Mr John Griffiths
Ms Susan Evans WEL

Please find attached the Marine Conservation Society response to the Single Body consultation.

Kind regards,

Gill Bell
Wales Programme Manager
Marine Conservation Society

Direct Line: 01989 566 017
Mobile: 0788 925 1437
Email: gillbell@mcsuk.org



logo_gif.gif

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30 April 2012

Ms Carrie Moss
Living Wales Programme Team
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Dear Ms Moss,

MARINE CONSERVATION SOCIETY RESPONSE TO THE NATURAL RESOURCE WALES CONSULTATION

The Marine Conservation Society (MCS) is the UK's leading charity for protection of our seas, shores and wildlife. The voice for our seas for over 25 years, MCS champions protection for marine wildlife, sustainable fisheries and clean seas and beaches. Our mission is to see measurable improvements in the state of our seas, marine biodiversity and fish stocks.

MCS have been made aware of the very limited timescale given for analysis of the responses to this consultation and the proposed announcement date, so we have therefore kept our comments concise, but would be happy to expand and clarify on any points raised. We would, however, question how the Welsh Government can adequately consider and reflect on the responses given the limited amount of time involved. We would also question as to why there is such a short timescale proposed for the introduction of the new body.

Our main areas of concern include:

- 1) No single body - We do not believe that the two functions of regulation and delivery should be within one body due to their conflicting nature.
- 2) Independent advice – At present SNCB advice is often overridden and dismissed. What guarantees are given that there will be transparency and due consideration of conflicting regulating and advice functions?
- 3) Human focus – Considering this is the proposed joining of three environmental bodies, the consultation is very anthropocentric with a focus on how the ecosystem can provide services rather than safeguarding the environment. This body should have a primary focus of environmental protection.
- 4) Sustainability rather than sustained development – Throughout the document there is reference to benefits to economy, communities and development. However, the document infers sustained development over environmental concerns. Sustainability must be paramount to the SB.

- 5) Marine environment – there is little mention of the marine environment and how this will be incorporated into the new body. We raise concerns over lack of consideration for the land-sea interface and cross-border issues.
- 6) An integrated approach to environmental management in Wales is needed but we are concerned with the continued trend to focus on terrestrial systems and provide little detail of marine. The marine environment is under-resourced, undervalued and under-represented. At present there are very limited resources given to marine and we are concerned that these will be decreased further in such a large body with a wide remit.
- 7) Consideration must be given to how the WG will meet the 'vision of clean, healthy, safe, productive and biologically diverse seas' when it is currently failing to meet the legal targets for good environmental status and favourable conservation status, whilst under the three separate bodies before these reduce in size.
- 8) Marine Licensing - We are concerned that if this marine department is merged it will become isolated from other marine departments such as marine planning and fisheries and the overall strategy planning and management will become fragmented. Marine licensing is managed under the newly formed (under MCAA) Marine Consents Unit and this has provided a direct and transparent mechanism. This should be maintained if marine licensing should be merged with the SB.
- 9) We are very concerned that fisheries management is not discussed fully within the consultation. Fisheries are a natural resource and their management and impacts must be incorporated in any marine resource management and therefore links must be forged between the new body and WG fisheries team for sustainability and cross-departmental working.
- 10) Any developments must also factor in the dynamic nature of the marine environment and acknowledge the limit of baseline data and take this into account.
- 11) The SB must give due regard to the recent marine legislation (MCAA 2009) and the Marine Strategy Framework Directive which have been developed specifically for marine management and to provide a robust framework for natural resource management.

We would be happy to provide further detail if requested.

Yours sincerely,



Gill Bell
Wales Programme Manager
Email: Gill.Bell@mcsuk.org

cc: Mr John Griffiths AM, Minister for the Environment and Sustainable Development
Ms Susan Evans, Director, Wales Environment Link