Llywodraeth Cymru
Welsh Government

Welsh Government

## Consultation Report

# Sustaining a Living Wales

A Green Paper on a new approach tonatural resource management in Wales

**Overview**

This Green Paper sought views on a fresh approach to the management and regulation of the environment in Wales. The consultation will principally inform the proposed 2014/15 Environment Bill and the proposed Planning Bill. The proposals will be of particular interest to regulated businesses and to those who use and manage our land and water, including the farmers and foresters who together manage more than 75% of the land area of Wales.

The consultation took place between 30 January 2012 and 31 May 2012.

# Report on responses to the consultation document: '*Sustaining a Living Wales: A Welsh Government Green Paper on a new approach to natural resource management in Wales*'

## Contents

September 2012

Natural Resource Planning Team
Department of Environment and Sustainable Development

# 1.    Introduction

The Welsh Government consulted on the need, and possible options for taking forward a fresh approach to the management and regulation of Wales' environment and natural resources. The consultation ran from 30 January 2012 to 31 May 2012. The consultation document was made available on the Welsh Government's website.

The consultation sought views on a wide range of proposals, including in particular:

- What changes to current policies and systems might be needed in order to implement an approach to managing the environment and natural resources based on the ecosystems approach?

- What scope and opportunities there are for streamlining or simplifying how we manage and regulate the environment and natural resources?

- Whether the development of new market instruments could provide opportunities to improve our management of natural resources?

- The development of natural resource management planning at local and national levels to provide a new strategic framework for decision-making affecting the environment and natural resources;

- The preparation of an Environment Bill for Wales, to be introduced in 2014/15, informed by the responses to the proposals in the paper.

The consultation ran alongside a separate Welsh Government consultation, *Natural Resources Wales,* on specific proposals for the creation and direction of a new statutory body for the management of Wales' natural resources.[1] A number of individuals and organisations responded to both consultations in the same response, and these have been taken into account.

The consultation document invited responses to a series of questions covering the issues above. Respondents were also asked to comment on other issues they felt were relevant.

The *Sustaining a Living Wales* consultation further develops a consultation carried out in Autumn 2010 called '*Living Wales – a new framework for our environment, our countryside and our seas*'. That consultation established the ecosystem approach[2] as a basis for the new framework, noted the strong links between healthy, resilient ecosystems and long-term well-being and established a guiding aim: 'to ensure that Wales has increasingly resilient and diverse ecosystems that deliver economic, environmental and social benefits'. It established key pointers for taking forward the work in Wales which were reinforced by the Minister for Environment and Sustainable Development in a written statement on 15th June 2011[3]:

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[1] That consultation paper and a summary of the responses to it can be accessed from: http://wales.gov.uk/consultations/environmentandcountryside/singlebody/?lang=en
[2] Convention on Biological Diversity, 5th Conference of Parties, Decision V/6: http://www.cbd.int/ecosystem/principles.shtml
[3] http://wales.gov.uk/about/cabinet/cabinetstatements/2011/110615nat/?lang=en

These are:

- A focus on the value of the environment as a whole, delivering positive environmental, social and economic outcomes;

- Opportunities for wider public involvement;

- A positive approach for landowners, farmers, fisheries, forestry, developers and regulated industries to reflect the common goal of sustainable development, delivering positive environmental change, not just conserving what we have;

- Changes in the way we deliver policy, make decisions and regulate the environment, to ensure our communities and neighbourhoods have the highest possible standards of health and well-being, and;

- Ensuring the public bodies, charged with protecting and enhancing the environment are equipped to deliver the new approach.

In addition to the publication of this report, all the responses to this consultation, to the 2010 Living Wales consultation and to the consultation on the proposed new single body, will be retained. The responses to all three consultations represent a valuable source of views, information and ideas, and will be used to inform our work in taking forward the Living Wales programme.

**Next Steps**

We have established a Policy Team to deliver our work on Natural Resource Planning, the use of the ecosystem approach in policy making and programme delivery, and to move us towards the preparation of the Environment Bill, including the review of regulations and designations.

That team sits within a wider Division including the Climate Change and Sustainable Development Teams, and will be working closely across Government including with those leading on National Infrastructure Planning, Marine Spatial Planning and bills relating to Planning and Heritage Protection.

There is a clear and logical progression for our work over the coming months, which includes:

- The second Order to transfer functions to the new single body which is proposed to be laid by the Minster for Environment and Sustainable Development in draft before the Assembly by late November 2012.

- The publication of a Sustainable Development White Paper before the end of 2012, which will set out the Government's intentions for Public Bodies in respect to their overarching requirements to embed Sustainable Development in high-level decisions. This will set the overarching context for integration of social, economic and environmental outcomes.

- The launch of the new single body, which will take on the functions of the Environment Agency in Wales, the Countryside Council for Wales and the Forestry Commission Wales by 1 April 2013.

- Work towards the publication of the Environment White Paper later in 2013, setting out the Government's intentions for the Environment Bill. This will ensure that the new body is involved in developing options for future legislation.

Throughout this time, we will continue to actively engage with stakeholders in developing this programme.

## 2.    Overview of responses

A total of 271 consultation responses were received. A further 8 responses to the simultaneous consultation on the proposed single body for Wales were also included in the analysis, as they contained material directly relevant to this consultation. Therefore a total of 279 responses were counted, totalling about 1,200 pages. Although the consultation period closed on 31 May 2012, responses submitted after that date were included.

A breakdown of the types of respondents is provided in the three tables below. A list of the organisations which responded to consultation is provided at Annex A.

A summary of the main issues raised in the consultation responses is given in Section 3. Section 4 contains a detailed analysis of the comments received on each of the consultation questions listed on pages 30-31 of the consultation paper. Section 5 gives a summary of other issues raised which could not readily be related to any of the consultation questions.

**Table 1: Number of responses by sector**

| Sector | Number of responses |
|---|---|
| Private individuals | 131 |
| Conservation | 32 |
| Conservation, access & recreation | 16 |
| Access, recreation & tourism | 15 |
| Local Government | 14 |
| Environment | 13 |
| Energy | 12 |
| Forestry | 9 |
| Agriculture & land management | 8 |
| Heritage | 6 |
| Education | 4 |
| Scientific bodies | 4 |
| Planning | 3 |
| Water | 2 |
| Consultancy | 2 |
| Minerals | 1 |
| Fisheries | 1 |
| Transport | 1 |
| Health | 1 |
| Law enforcement | 1 |
| Defence | 1 |
| Trade Union | 1 |
| Housing | 1 |
| **Total** | **279** |

**Table 2: Number of responses by type of organisation**

| Type of organisation | Number of responses |
|---|---|
| Private individuals | 131 |
| Voluntary sector | 58 |
| Public sector | 31 |
| Private sector | 27 |
| Partnerships (public/voluntary sector) | 19 |
| Professional bodies | 13 |
| **Total** | **279** |

**Table 3: Number of responses by type of organisation and sector**

| | Organisation type | Sector | Number of responses |
|---|---|---|---|
| **Private individuals** | | | **131** |
| **Organisations 148** | **Private sector 27** | Energy | 11 |
| | | Forestry | 5 |
| | | Agriculture & land management | 4 |
| | | Access, recreation & tourism | 2 |
| | | Consultancy | 2 |
| | | Minerals | 1 |
| | | Transport | 1 |
| | | Water | 1 |
| | **Public sector 31** | Local government | 14 |
| | | Conservation, access & recreation | 7 |
| | | Environment | 4 |
| | | Defence | 1 |
| | | Energy | 1 |
| | | Health | 1 |
| | | Heritage | 1 |
| | | Trade Union | 1 |
| | | Water | 1 |
| | **Voluntary sector 58** | Conservation | 24 |
| | | Access, recreation & tourism | 9 |
| | | Conservation, access & recreation | 9 |
| | | Agriculture & land management | 4 |
| | | Education | 2 |
| | | Environment | 2 |
| | | Forestry | 2 |
| | | Heritage | 2 |
| | | Science | 2 |

| | Organisation type | Sector | Number of responses |
|---|---|---|---|
| | | Fisheries | 1 |
| | | Planning | 1 |
| | **Partnerships (public/voluntary) 19** | Conservation | 7 |
| | | Access, recreation & tourism | 4 |
| | | Environment | 4 |
| | | Education | 2 |
| | | Forestry | 1 |
| | | Housing | 1 |
| | **Professional bodies 13** | Environment | 3 |
| | | Heritage | 3 |
| | | Planning | 2 |
| | | Science | 2 |
| | | Conservation | 1 |
| | | Forestry | 1 |
| | | Law enforcement | 1 |
| **Total** | | | **279** |

## 3.    Summary

**Who responded to the consultation and in what form?**

There were 279 responses in total, 131 from private individuals and 148 from organisations. A number of respondents submitted joint responses to this consultation and the parallel *Natural Resources Wales* consultation on the creation of the new single body for Wales [http://wales.gov.uk/consultations/environmentandcountryside/singlebody/?lang=en], and these have been taken into account in preparing this report.

Of the responses from organisations, 58 were from voluntary bodies, 31 from the public sector and 27 from commercial organisations. There were responses from a wide range of sectors, although the sectors most represented in the responses were conservation, access and recreation, which together made up about one fifth of all responses. Local Government and environment were also reasonably well represented, and there were comments from bodies concerned with heritage, education, the natural sciences and planning. Energy, forestry and agriculture were the main industries which submitted responses, together with a very small number of responses from organisations concerned with water resources, minerals, fisheries, transport, defence, health and housing.

Roughly half of the respondents answered the consultation questions in the consultation paper, and the rest provided their comments in a more 'free form' style. This included a number of letters from supporters of the Royal Society for the Protection of Birds and the Wildlife Trusts, which made a series of common key points.

Many of those who did explicitly respond to the consultation questions also provided wider general comments. All responses have been considered in preparing this report, regardless of the format in which the comments were made. The total volume of responses amounts to some 1,200 pages of text.

**What did the responses say?**

*Support for strategic aspirations:* There was overwhelming level of agreement with the high level aspirations in the consultation, and commendation of the Welsh Government's apparent willingness to take a fresh and innovative approach to the whole area of environmental regulation and management.

*Establishing the case for change:* A recurring theme in the responses was the need for any changes to existing regimes to be based on robust evidence, particularly in terms of what it is about existing approaches that is failing or falling short of delivering environmental management needs. It was suggested that the achievements of current systems should be acknowledged, and to ensure that no changes are brought about unless there is a clear rationale that change is likely to produce better results and improved outcomes.

*Reversing the loss of Wales' biodiversity:* Concern was expressed that the consultation paper fails to adequately emphasise that the development of a new

approach is a direct response to Wales' failure to meet its biodiversity targets. Many respondents urged the Welsh Government to continue to position the halting and reversing of the loss of biodiversity as a priority at the centre of future proposals for reforming the way we use and manage Wales' natural resources.

***Support for the ecosystem approach:*** There was a substantial degree of support for the central proposals in the paper, namely the move towards an ecosystem approach, the development of natural resource planning at local and national levels and the streamlining and simplification of regulatory regimes. Very few responses expressed disagreement with these objectives, but many respondents qualified their support by suggesting that 'the devil is in the detail'. A significant proportion of responses expressed neither agreement or disagreement with the paper's central proposals, but wanted more information about the practicalities of the new approach and the underlying priorities of the Welsh Government.

***Natural resource planning:*** The consultation paper posed several questions on the concept of local and national natural resource planning. Widespread support was expressed for the principle, but many questions and concerns were raised in relation to the details and practicalities of the approach, including:

- how natural resource planning would relate to other planning processes;
- the dangers of adding complexity and additional 'layers' of bureaucracy unless the process is carefully designed, and
- achieving the right balance of emphasis between national and local interests.

Although some respondents advocated keeping the current planning system and systems for environmental and natural resource planning separate, by far the majority expressed support for integrating natural resource planning with existing planning systems. Opinions varied on which regime should take 'primacy', with most views tending to favour the current planning system as providing the overarching framework, and natural resource plans providing an evidence base. Most of those who expressed a view felt that natural resource planning would be ineffective unless it had a statutory basis.

Most respondents interpreted the consultation paper and questions as seeking views on the preparation of natural resource plans rather than natural resource planning as an approach.

***Success criteria for managing natural resources:*** One of the consultation questions specifically addressed success criteria for natural resource management. The most common suggestions for success criteria were:

- Biodiversity, in particular halting and reversing biodiversity loss;
- Establishment of sustainable use of natural resources;
- Integration of decision-making and resolution of resource-use conflicts.

***The need for detailed proposals:*** Some respondents suggested that the options in the consultation paper were too vague at this stage, and that they would reserve judgement until the Welsh Government has drawn up more details on how natural resource planning is expected to work. Many of these stakeholders expressed an expectation that there will be further consultation on developing options and approaches to natural resource planning.

***Streamlining and simplification of regulations and designations***: A substantial degree of support was expressed for streamlining and simplification of regulations and designation systems. This was mostly expressed on condition that there should no weakening of standards for protection of the environment. Indeed, many suggested that a review of environmental regulation with a view to streamlining and simplifying it should be seen as an opportunity to strengthen it, to secure better environmental outcomes, in addition to better outcomes for people and businesses. Some respondents expressed reservations about whether it was actually possible to achieve better outcomes for the environment and reduce regulatory burdens, Some respondents questioned which of these two objectives is the Welsh Government's foremost priority.

In terms of priorities for simplifying and integrating environmental designations, the retention and strengthening of the role of designations and protected areas was cited by the majority of respondents as key to the way forward. Many respondents expressed concern that the consultation paper creates a false impression that the ecosystem approach implies a move away from retaining and improving networks of protected sites. A number of respondents stated that protected sites are an essential part of the toolkit for the ecosystem approach, rather than the two things being in any way alternatives to each other. The majority of comments on designations reiterated the point made in relation to streamlining of regulation – that standards of environmental protection should not be diminished.

***More effective implementation of environmental legislation:*** Another recurrent theme was the need to focus on improving the way in which legislation is implemented, rather than on reforming legislation itself. While there were some calls for legislative reform, there was a general view that existing legislative regimes could be made to work better, for the environment, for people and for regulated businesses. Better enforcement and compliance with existing regulations was frequently cited as a priority.

***Social and economic opportunities in the natural environment and natural resources:*** The consultation paper asked questions about whether the proposed approach adequately reflects the opportunities that the natural environment provides to economic development and social well-being. Respondents tended not to reply to these questions with a simple 'yes' or no', but expressed a range of suggestions about what they saw as the main 'missed opportunities' in the paper. The economic value of Wales' environment as a leisure and tourism asset came out as the main issue here, together with a similar number of comments on the aesthetic and cultural importance of the environment to the people of Wales.

The role of nature and landscapes in providing for people's recreational, artistic and spiritual needs was cited by many as effectively beyond valuation in economic terms.

Many respondents warned against 'reducing' ecosystems to a series of marketable goods and services, the argument being that some of the most important ecosystem services are the intangible cultural ones where the creation of markets is neither practical nor desirable.

There was also support for more use of markets and systems based on economic incentives, for example, around promoting local food production with a distinctively Welsh brand, and better marketing of Wales as a destination for environment-based leisure and tourism.

There were concerns expressed by many that the uptake of Glastir was disappointingly low, considering its role as a flagship initiative for delivering environmental outcomes using economic incentives. The overwhelming importance of agriculture as a provider of ecosystem services, and a source of pressure on natural systems was widely recognised.

***Skills and tools needed for the new approach:*** The consultation paper asked what skills and tools were needed to make the new approach successful. The main areas highlighted in the responses were:

- **Developing a common understanding of the ecosystem approach**. Many respondents, including those who were very supportive of the concept, expressed doubts that the necessary skills and tools have yet been developed to enable bodies responsible for management and regulation of natural resources to apply the ecosystem approach to their practical decision-making.

- **Community engagement**
  Some felt that the necessary skills and approaches for community engagement are lacking, particularly in public sector bodies. A number of respondents from the third sector commented that voluntary organisations generally have a good track record with public and community engagement and could make a valuable contribution to developing the skills base.

- **Role of natural sciences**
  The critical role of natural sciences in understanding how ecosystems function and particularly their 'carrying capacity' was highlighted by many as a high priority. There was much criticism of the lack of emphasis given to the earth sciences, and the need for the ecosystem approach to be based on sound understanding of geodiversity and the abiotic environment.

- **Organisational culture and joined-up delivery**
  A number of respondents commented that a key change required was in terms of organisational culture, and in particular the breaking down of boundaries or 'silos' between different organisations and disciplines.

***Geographical Information Systems (GIS):*** On the question of developing GIS as a way of sharing environmental information more widely, most of those who expressed a view were supportive of anything that improves public accessibility of information, and cost-effective means of sharing of data.

*Environmental monitoring:* There was general support for engaging people more widely in monitoring and the gathering of environmental evidence, especially if it means people take more of an interest and getting more involved in environmental issues, both locally and nationally/internationally. Any concerns about these proposals were mainly around being able to assure the quality of data collected by members of the public and non-specialists. It was also pointed out that adequate resourcing of data collection programmes, and the stability of that resource commitment over time, is essential, with comments that the Welsh Government should not regard promoting more public involvement in environmental information gathering as an alternative to adequate public funding of key environmental monitoring programmes.

**Other issues raised**

The consultation paper sought views on what other changes to legislation or systems were needed, and to comment on any issues they felt are relevant.

Some of main themes identified were:

- **Striking the right balance between incentive – and compliance-based approaches to deliver natural resource management objectives**. Views differed on whether current frameworks relied too much on one or the other.

- **In terms of legislative reform, it was suggested by some that getting the right legislative review process in place**, and particularly ensuring that stakeholders in regulatory processes have a real say in the development of new approaches, is more important as an immediate priority than trying to identify at this stage what legislation should be changed. The phrase 'evolution not revolution' was repeatedly used.

- **Better processes for implementing existing legislation, and developing the expertise, pragmatism, and culture of regulatory bodies, with more emphasis on enforcement and compliance.**

- **A large proportion (28%) of respondents asserted the intrinsic value of the environment and biodiversity**. There was criticism of the consultation paper as presenting a very utilitarian view of nature, as a source of goods and services for human use. Many stated that this is a misguided approach and contrary to the ecosystems approach, as defined under the Convention on Biological Diversity. A question frequently asked in the responses was: what will happen to ecosystem components that don't have any recognised – or quantifiable – benefit to people?

- **Consideration of landscape and the historic and cultural environment:** Numerous respondents referenced the opportunity for a fresh approach offered by landscape-based approach to planning and management of environment and natural resources. It was recognised that Wales is party to the European Landscape Convention and needs to do more to implement it. Likewise the potential synergies and opportunities to integrate approaches to natural environment with the management of the historic environment were noted. It was argued that Wales does not have

a 'natural' environment as such, but rather one shaped by our cultural history. There were calls for integration in the development of new legislation for the natural and historic environment.

- **Relationship with the marine environment:** Many responses from individuals and organisations with particular marine environmental interests were critical of the consultation paper as being too terrestrially-focussed, failing to acknowledge either the size of Wales' marine area relative to the land, the importance of marine ecosystem services or the pressures that marine ecosystems are facing. Others were concerned that the development of marine spatial planning and adoption of the ecosystem approach was progressing slowly due to lack of priority and resources, while being held up as a model for terrestrial natural resource planning to follow.

- **Many respondents made reference to the precautionary principle**, calling for it to remain at the heart of policies and regulation affecting the environment. However it was recognised that more evidence-based decision-making was preferable, provided the necessary evidence is there. There were questions about the practical meaning of 'risk based' approaches to regulation.

# 4. Analysis of responses by individual question

This section presents an analysis of the responses to each of the questions posed on pages 30-31 of the consultation paper. A large number of respondents provided 'free form' comments and views rather than explicitly responding to the consultation questions. In addition, many respondents made both general comments and answered the consultation questions. Wherever possible comments and views have been incorporated into the question-by-question analysis if they related to the subject matter of the questions even if they were not explicitly presented as answers to the questions.

Where the consultation questions invite yes/no responses, some basic quantitative assessment has been made, notably on questions 1 to 6. Most of the questions and open and invite respondents to expand on their views, therefore the great majority of the following analysis is purely qualitative.

Comments and views of a more general nature, and issues which could not be reasonably dealt with as part of the question by question analysis, are summarised in section 5.

The questions in the consultation paper were not numbered. For the purposes of the analysis, the questions have been numbered as follows:

For questions 1 to 6, Respondents were asked to indicate whether they agree, disagree or need more information for each of the following points, and to give their main reasons if they agree or disagree with the proposals.

Question 1: Developing a new approach to environmental protection based on ecosystems?

Question 2: Developing the concept of local resource management planning for natural resources to provide a simpler approach for stakeholders?

Question 3: Developing a national resource management plan?

Question 4: Streamlining regulatory regimes to achieve better outcomes for the environment and simpler systems for people?

Question 5: Developing interactive geographical information systems to make information more accessible and engage people more widely?

Question 6: Developing our approach to monitoring and data gathering to increase the emphasis on practical evidence gathering?

Question 7: What do you think should be the main priorities for our work in simplifying and integrating designations, policies and regulatory regimes?

Question 8: What would you define as the main success criteria for natural resource management?

Question 9: What would be the success factors for the new Welsh single body in delivering the new approach?

Question 10: Have we reflected the opportunities for business, enterprise and economic development with the natural environment? If not, what have we missed?

Question 11: Have we reflected the opportunities for social and well-being benefits for the people of Wales with the natural environment? If not, what aspects have we missed?

Question 12: Where should the boundaries lie between land use planning and environmental management planning and consenting?

Question 13: What skills and tools would we need to make the new approach successful? Can you help us develop these?

Question 14: How could we ensure that offshore (marine) and onshore resource management plans work together?

Question 15: How could national or local resource management plans help preparation of local development plans?

Question 16: Should local ecosystems outcomes be included in local single integrated plans?

Question 17: What steps could we take to create a market in those environmental services that are currently undervalued?

Question 18: What other changes to legislation or systems are needed?

> **Question 1. Do you agree, disagree, or need more information on the following:**
>
> ▪ **Developing a new approach to environmental protection based on ecosystems?**
>
> **If you agree or disagree with the proposal what are your main reasons.**

**Overview**

This question relates to the central proposal in the consultation document, which is to take a fresh approach to the management and regulation of the environment in Wales, based on embedding the ecosystem approach in the future management of the Welsh environment.

168 respondents (60%) answered the question (i.e. said they agree, disagree or need more information). The remaining 111 (40%) either gave no views at all on this issue, or provided comments on the proposal without making clear whether they agree, disagree or need more information.

**Agree**

145 respondents (86% of those who answered the question) said they support the new approach. This is just over half of all respondents to the consultation.

Reasons given for support were varied. Most people agreed that change is needed, the current system was too bureaucratic, and that the concept was a good idea. Many organisations welcomed the approach with the caveat that WG should develop it in keeping with the 12 Principles of the Ecosystem Approach as drawn up by the Convention on Biological Diversity (CBD).

It was felt by some that moving towards a more holistic approach could offer far wider benefits, in particular engagement of local people. For example: "To be successful, must engage with communities businesses and agricultural industry gain their support and understanding, and put these at the centre of the approach".

Others suggested that the approach potentially allows for the identification of issues and opportunities, more effective planning, and adds to the transparency of decisions. It will enable strategic development decisions to be taken in a more effective manner. For example: "Assessing issues from a more holistic and broader view is likely to result in an outcome that is healthier for the whole ecosystem".

One recurring view was that the new approach will achieve a better understanding of why we have environmental policy, realising environmental considerations can be an opportunity rather than a constraint. It was suggested that new integrated approaches will need collaboration between different service areas and delivery teams at all levels of Government. An integrated approach was also thought to make greater sense than the current layers of environmental regulation. Respondents said that they would support an approach that reduces uncertainty in planning and other

regulatory systems. For example "Better regulatory processes, clearer information and consistent decision-making frameworks will be beneficial to the forestry industry".

Responses from industry and from environmental organisations were equally supportive. The approach is considered fair to all sectors that have an impact on the environment and so can achieve optimal solutions.

Other respondents noted the opportunity for the approach to contribute to consideration of climate change and helping to deliver sustainable development. For example: "Impacts of anthropogenic climate change on habitats and species are best understood using this approach". However one view was that the ecosystem approach must be considered as equal to, not led by, sustainable development.

Another common view was that the proposals are positive, but need clear outcomes, dedicated targets and resources to deliver effectively. For example "Welsh Government now needs to explain what success looks like".

Other reasons in support of the approach included:

- it could help better value Wales' tourism assets;
- there is a need to shift to a quantitative understanding of the environmental services;
- it could lead to improvements in access to green-space and urban ecosystems;
- it could really help move the country forward;
- it addresses concerns around peat storage and agricultural management.

**Disagree**

Three respondents (2% of those who answered the question) expressed disagreement with the new approach, the main reasons being that we know how the current system works and should focus on what needs to be done rather than change the framework. One respondent that disagreed with the approach thought that it didn't give enough recognition to the international perspective of resource management, for example in relation to imports and exports of raw materials, food and waste.

**Need more information**

20 respondents (12% of those who answered the question) requested more information rather than stating whether they agree or disagree with the proposal. Most of these said that they felt it difficult to give unqualified agreement because of the lack of detail in so much of the document. More details and practical examples were requested.

**Other views**

111 respondents (40% of all responses) did not answer the question. A significant proportion of these respondents commented on the proposal without expressing a clear view on whether they agree or disagree with it, or whether they need more information. These comments were typically expressed as critiques of the approach, outlining concerns and suggesting areas of caution. A few respondents pointed to dangers in taking too generic an approach.

*Evidence for change*

The most prominent concern was that there was a lack of evidence presented in the consultation paper on the need to change, particularly a lack of evidence that the new approach could offer a better standard of protection than current approaches. It was suggested that the starting point should be a greater recognition of the progress that has already been made under existing approaches. Linked to this were cautionary views that the ecosystem approach should be adopted with care and in addition to, not instead of, existing measures, and in particular that there should be no abandonment of protected areas – the two approaches could work in tandem.

It was generally felt that any new system must provide meaningful protection for irreplaceable natural assets, however, the ecosystem approach was seen by others to be more of a management tool than a way of offering protection. Others felt it was not clear how the approach would be applied in practice and therefore how this would be any different to the existing approach.

Suggestions for things that will need to be addressed in taking forward the ecosystem approach included ensuring the approach will contribute to reducing the size of Wales' ecological footprint, reversing biodiversity loss, restoring ecosystem health and reducing human-induced stressors on key ecosystems.

A few respondents expressed concern that adoption of the ecosystem approach might lead to more bureaucracy.

*Economic valuation*

There were many concerns and queries for clarification around the level of emphasis being placed on the economic value – and valuation – of the environment. Caution was urged in attempting to value ecosystem services in monetary terms. Some felt that deriving economic benefits from ecosystem services should in no way be detrimental to natural beauty or biodiversity. The Gaylord Nelson quote "the economy is a wholly owned subsidiary of the environment, not the other way around" was mentioned a number of times.

A few respondents took the opposite view, suggesting that a new approach should be distinctly economically focused.

*Other views frequently expressed on the ecosystem approach:*

- It must have biodiversity at its core, since biodiversity is fundamental to maintaining ecosystems;

- It must recognise landscape and seascapes;

- It must encompass the natural, cultural and historic environment;

- It needs to take into account cross-border issues with other parts of the UK and Europe;

- It needs to reference geodiversity and the abiotic environment or it simply won't work;

- It needs to recognise that the marine environment is a complex of many different habitats and ecosystems, and cannot be regarded as a singular broad habitat;

- It could potentially miss particular species or niche habitats, and needs to ensure that no species or ecosystem components are lost;

- It needs to define ecosystem services in a way which is clearly understood by all. The landowning community cannot currently relate to any of these discussions.

*Other comments:*

- The approach will only be of benefit if accompanied by sufficient investment and resources;

- The approach will need to embed the precautionary principle, where impacts are not completely understood;

- The ecosystem approach is a sophisticated tool but a question is whether it fully allows local issues to be considered;

- The need to accept that environmental protection is sometimes in direct opposition to development;

- The need to review the extent to which current mechanisms already contribute to the ecosystem approach;

- Many people and organisations do not appreciate the role they would need to play to deliver the ecosystems approach.

> **Question 2. Do you agree, disagree, or need more information on the following:**
>
> ▪ **Developing the concept of local resource management planning for natural resources to provide a simpler approach for stakeholders?**
>
> **If you agree or disagree with the proposal what are your main reasons.**

## Overview

This question sought views on one of the principal proposals in Section 6 of the consultation document, namely the development of integrated local resource management planning to inform the sustainable use of natural resources as a whole. This is proposed to provide a common framework for decision-making for environmental regulators and managers. The majority of respondents interpreted this question to be specifically about development of natural resource *plans*, rather than an approach to planning.

122 respondents (44%) answered the question (i.e. said they agree, disagree or need more information). The remaining 157 (56%) either gave no views at all on this issue, or provided comments on the proposal without making clear whether they agree, disagree or need more information.

## Agree

75 respondents (61% of those who answered the question) said they agree with the concept of local resource management planning. This is just over a quarter of all respondents to the consultation.

Respondents mainly recognised that local resource management plans could offer advantages such as a means of translating national targets into local action, facilitating community engagement, building on existing partnerships and processes, and having a more coordinated approach.

A common view was that local resource plans were welcome if they complement the aspirations of the National Infrastructure Plan, and if they could provide the framework within which infrastructure plans and Local Development Plans operate. The analysis of responses to Question 15 deals with more detailed responses on how resource planning could support the local development plan process.

*Replacing other plans*

A handful of respondents felt that any local plan must subsume and supersede other existing environmental plans and strategies at the local level, and it would only be successful if it replaces other plans and strategies, although those strategies were not specifically named.

One respondent supported the approach "as it would be better that a species based approach", but concluded that it would not be a simpler approach.

*Status*

It was commonly stated that there should be a statutory basis for local resource plans, and a statutory requirement to fulfil the national plan targets. It was felt that the creation, annual reporting and implementation of local resource plans should be required under statute.

*Local vs. National*

Some respondents thought that local resource plans, based on an assessment of local and regional natural resources would be a better approach than a plan or framework at the national level, their concerns being that a national plan may leave out a lot of detail. Similarly others felt that a national framework, but not a national plan as such, was essential to support local plans.

Conversely other respondents felt that a national approach rather than a local approach would be the only way to ensure whole ecosystems were considered and protected, rather than 'patchy' areas of habitat.

*Comments on delivery*

It was felt that local resource planning must be specific about what the opportunities are for existing local groups to be involved in delivery, and should provide a clear role for local authorities in delivering their biodiversity duties under section 40 of the Natural Environment and Rural Communities Act 2006, and other duties.

One respondent highlighted that local resource management planning could make use of mechanisms that are already in place. It should be accessible to all, possibly through Local Record Centres and should be informed by the new spatial biodiversity action reporting system and priority mapping, and use emerging tools such as favourable conservation status modelling. Another view was that the planning approach should begin by defining and mapping all natural assets first, then agree objectives for their future management.

*Other relevant comments*

- Private landowners need to be full participants in the development of these plans.
- A green infrastructure plan is the way to identify multiple benefits.
- Local resource planning could help provide certainty to developers and regulators but should not be parochial.
- Evidence from several reviews and reports conclude that better spatial planning for improved access to green space and walkable environments would be a cost effective measure.

**Disagree**

7 respondents (6% of those who answered the question) said they disagreed with the concept. The main reasons given were that a local plan might not fully consider

ecosystems that operate beyond local boundaries, and that the new single body could not be expected to deliver this at a local level, local government being better placed. One view was that systems should not be simplified just for the convenience of those wishing to derive a socio-economic gain from our natural resources.

**Need more information**

40 respondents (33% of those who answered the question) stated that they need more information. Some of the issues on which respondents said that clarification was need were:

- It is not clear who will be developing resource plans, which bodies will be involved in their implementation and delivery, their status and how they relate to other plans.
- The need to understand how local resource planning and national resource planning sit together.
- Which ecosystem services local plans would cover.
- How the ecosystem approach relates to the resource planning approach.

**Other views**

157 respondents (56% of all responses) did not directly answer the question. A significant proportion of these respondents commented on why local resource planning might or might not work, without expressing a clear view on whether they agree or disagree with it, or whether they need more information.

*Integration with land-use planning*

Many responses referred to the need to integrate any local resource plans with land use planning, and a common view was to examine National Park Management Plans as a useful starting point. Others felt that bringing Local Development Plans and Local Biodiversity Action Plans together would be a start.

*Boundaries of local resource plans*

A common response was that local resource plans need to be mindful of ecosystem boundaries rather than administrative ones, and in particular should not be based on local authority boundaries.

*Delivery*

There were some concerns about potential deliverability due to the current reduced level of resources especially in local government and a potential lack of suitably trained personnel.

A response that appeared a few times from industry respondents sought assurances that the development of local resource plans would result in decisions being made locally in a timely manner, and not being referred nationally.

Doubts about the approach included; whether it could be applied in urban context and how the plans would affect, for example, housing and public health. There were comments that it was difficult to know at this stage whether plans will actually have an impact on the ground. For this reason it was felt the idea needed to be trialled.

**Question 3. Do you agree, disagree, or need more information on the following:**

▪ **Developing a national resource management plan?**

**If you agree or disagree with the proposal what are your main reasons.**

**Overview**

This question sought views on another of the principal proposals in Section 6 of the consultation document, which is to explore the scope for a single spatial framework for natural resource planning in Wales. As stated in the document, possible uses for a natural resource plan might be: informing national infrastructure planning; providing a framework for investment in positive environmental improvement; identifying key environmental constraints to be addressed to enable socio-economic opportunities, and; providing a firm basis for taking a regulated approach to appropriate compensatory measures.

123 respondents (44%) answered the question (i.e. said they agree, disagree or need more information). The remaining 156 (56%) either gave no views at all on this issue, or provided comments on the proposal without making clear whether they agree, disagree or need more information.

**Agree**

88 respondents (71% of those who answered the question) said they agree with the development of a national resource management plan. This is just under a third of all respondents to the consultation.

There were a wide range of reasons given for why respondents agreed with the approach. Most respondents noted the opportunities for more integrated working, including enabling more effective cross-boundary working between local authorities and protection of ecosystems that cross more than one local authority area. Many added that their support for the approach was conditional on it leading to better outcomes for the environment. It was felt that this was an opportunity for a proper spatial plan for Wales based on functioning of the natural and semi-natural environment.

Many respondents outlined the opportunities for a national plan to support decisions on development. It was considered that the plan would ensure consistent decision-making across the country and between all relevant stakeholders and would therefore ensure a level playing field for industrial development.

Respondents noted that the approach may lead to a better understanding of the pressures and opportunities for natural resources across Wales and may encourage knowledge sharing and stakeholder engagement. It was suggested that this could assist in setting clear priorities for issues such as flooding, water quality, waste infrastructure and will provide greater clarity for developers on how to align their projects to Welsh Government policy.

An important factor for a national natural resource plan which was noted in some responses is that it must be based on good science and integrated regulation. A plan based on a sound evidence base could inform local councils and help them make sound decisions.

One respondent saw a national natural resource plan as the binding element of the whole *Sustaining a Living Wales* approach, with clear long-term objectives and a 'delivery pipeline' stemming from the national plan to the local level.

*Views on what the national plan should contain*

A large proportion of those respondents in favour of a national plan also gave consideration as to what it should contain. The main suggestions included:

- A national plan should be built up from the collection of local resource management plans and existing designations.

- Welsh Government could set absolute outcomes/parameters at the Wales level through a national resource plan, and as far as possible let each local area fulfil its contribution according to its endowment of natural resources.

- The main criterion for natural resource management should be to ensure a sustainable supply of that resource for future generations. Priority objectives must be food, water and energy security whilst conserving species and habitats.

- A plan would need to include minerals and waste as well as other natural resources.

- A plan must cover rocks, minerals, oil gas, including shale gas, coal, plus national parks, 'Geoparks', land and marine environments.

- Landscapes should be at the heart of the approach.

- A plan should ideally have a longer term vision with a series of shorter term goals to map how to achieve that vision.

- National Nature Reserves and other protected sites should be afforded the highest levels of protection – these are 'islands' which provide the foundation for protection of natural resources.

- A natural resource plan that properly accounts for freshwater biodiversity would be a valuable approach. Such a plan should take into account all water-body types, large and small, still and running, which would move the focus of water managers away from just large water bodies and main rivers. Man made waterways also need to be considered for the range of benefits they bring.

Further detail on what respondents considered should be the success criteria for national resource management is given in the analysis of responses to question 8.

**Disagree**

7 respondents (6% of those who answered the question) said they disagree with the development of a national resource management plan. The main reason stated was that a national plan would not enable a better understanding of ecosystems in each area, given the variety of habitats in Wales. One response supported a national framework to support local plans, but not a national plan in itself. Another response was unconvinced by a national plan as it may be too prescriptive.

One respondent didn't specifically disagree with the approach but commented that it may be better to review and update existing plans and strategies, following guidance from the new single body, rather than the new body developing national or local resource plans itself.

**Need more information**

28 respondents (23% of those who answered the question) said they need more information to form an opinion. Specific requests for further information included Welsh Government to clarify whether natural resource planning will have a legal basis, and for a definition of what is meant by natural resources, in other words what would be the scope of a national resource management plan.

**Other views**

156 respondents (56% of all responses) did not answer the question, but many of these offered comments about a national resource management plan.

A common appeal was for natural resource planning to link with the Wales Infrastructure Investment Plan, recognising that the more closely linked these are, the greater the opportunity there would be for minimising conflicts. Likewise it was stressed that a national plan must relate to the Marine Spatial Plan and recognise other national strategies.

Respondents noted the difficulties that might occur in applying national policy at a local level, particularly where local opinion is not in line with national strategy. It was suggested that the effectiveness of a national resource management plan would depend on, for example:

- effective means to ensure that national principles and priorities are reflected in local decision-making;

- national priorities reflecting local capacity and constraints;

- targets and priorities being able to be adjusted to reflect the state of long-term environmental indicators, including a natural capital asset index or similar.

There was a concern from regulated industry that the proposed national plan has the potential to introduce a secondary tier of regulation to take away from local decision-making. It was argued that resource planning should create a framework for decision-making, not impose decisions. Likewise a plea from the agricultural sector

was that natural resource planning didn't interfere with existing permitted development rights.

One response from the outdoor recreation sector considered that a more spatial approach might not be practical for informal recreation on undeveloped natural land, the main driver for participation often being the weather.

There was a concern that effective conservation work on a smaller more focussed scale may not be considered or undertaken if it didn't clearly align with wider ecosystem targets.

One response questioned the proposed timing of the scoping of the plan in 2013, and its ability to have any influence on post-2014 EU programmes.

Lastly there was some caution expressed about the degree of uncertainty in the natural environment: as we are dealing with an ever changing environment influenced by many factors outside our control, it may be naïve to think that it can be addressed through a system of planning.

**Question 4. Do you agree, disagree, or need more information on the following:**

▪ **Streamlining regulatory regimes to achieve better outcomes for the environment and simpler systems for people?**

**If you agree or disagree with the proposal what are your main reasons.**

## Overview

This question sought views on the general principles to achieve better implementation by simplifying and merging existing systems of regulation. This is a key aspect of improving delivery, linked not only to the decision to create the new single body for Wales, but also looking at opportunities provided by both institutional change and the Welsh Government's legislative programme.

Further detailed responses relating to where the boundaries between land use planning and environmental management planning and consenting might lie are considered under Question 12. Likewise, the analysis of responses to Question 7 provides further detail on what respondents said should be the priorities for simplifying regulation.

122 respondents (44%) answered this question (i.e. said they agree, disagree or need more information). The remaining 157 (56%) either gave no views on this issue, or provided comments on the proposal without making clear whether they agree, disagree or need more information.

## Agree

97 respondents (80% of those who answered the question) said they agree with the proposal. This is just over a third of all respondents to the consultation.

The responses supporting the proposal fell into two broad categories, although many responses made both of the following points:

- simplification and streamlining of regulation relating to the environment is desirable in order to reduce regulatory burdens on businesses and landowners, and facilitate economic development;
- streamlining and reduced regulatory burdens is a good aspiration, but only if it can be achieved without any weakening of standards of environmental protection.

Respondents from the environmental sector generally welcomed regulatory reform provided that the focus being on long-term environmental outcomes, and those from industry generally supported better integration of regulatory and management functions, reducing complexity and duplication.

It was felt of benefit to the regulatory process in Wales if there is a single point of contact for permissions with attendant benefits including: a simplified statutory consultation process; allowing reconciliation of the conflicting views of stakeholders

to the same environmental evidence base and reducing determination periods for different applications relating to the same development.

Another positive outcome identified in the responses was that by improving the efficiency of how regulators and industries interact and make decisions, more time could be spent on engagement and delivering sound environmental outcomes.

Some respondents indicated that there are already some good examples of streamlined permitting systems. Another felt that the ecosystem approach could express itself in the form of habitat, species, and industry-specific legislation.

**Disagree**

6 respondents (5% of those who answered the question) said they disagree with the concept. The main reason given was that simplification can only weaken environmental protection leading to environmental damage. Some respondents felt that there was little evidence to support streamlining of regulatory regimes – and it would be better to improve on the current system of regulations and designations.

A similar view was that rather than changing regulatory systems, a policy delivery tool that streamlines and rationalises the various agencies and organisations delivering different interventions may be more productive.

**Need more information**

19 respondents (15% of those who answered the question) said they need more information to be able to form an opinion. Specific requests for further information included clarity over what processes require simplification, and how Government would ensure that where regulation is streamlined, it does not result in unforeseen consequences.

**Other views**

157 respondents (56% of all responses) expressed neither agreement nor disagreement with the proposal, nor stated that they need more information, but still raised a number of concerns. These were predominantly around oversimplifying rules and regulations for a very complex environment, and the view that it is not possible to achieve both better outcomes for the environment and simpler systems for people. One respondent offered caution that unless the current planning and development control system is redesigned around natural resource management plans, the regulatory regime may become more complex, not less, with two systems in operation.

It was suggested that any change to regulatory regimes should not seek better outcomes for the environment and simpler systems for people as separate entities but better outcomes for all ecosystems through a properly integrated system of regulation. It was felt that redesigning regulatory regimes to work at the ecosystem level will not be simpler, but will be a better way of doing things.

There was general speculation that the key driver for streamlining regulatory systems might be short-term benefits to business and industry through de-regulation, rather than long-term better outcomes for the environment.

Some respondents envisaged that there could be overwhelming practical problems of implementation and funding due to major operational changes clogging the system. It was stressed that increased efficiency through streamlining should not result in decreased efficiency in service delivery.

Other views expressed included:

- The focus on review of legislation should be to strengthen best practice and refine delivery with an overall aim of meeting 2020 biodiversity targets;

- Proposed changes should not impact on necessary and legitimate development;

- Difficult to see how any new Environment Act could result in the repeal of existing regulation, as it's all there for a reason;

- If elements of regulation shift onto the local authorities this should not be done without provision of additional resources.

> **Question 5. Do you agree, disagree, or need more information on the following:**
>
> - **Developing interactive geographical information systems to make information more accessible and engage people more widely?**
>
> **If you agree or disagree with the proposal what are your main reasons.**

## Overview

This question refers to section 7 of the consultation paper on developing a consistent evidence base, improving the compatibility of the geographic information systems of different public bodies and other organisations with each other, and making it easier for data to be presented and interrogated publicly. It also makes reference to the proposal in the consultation paper to encourage people to collaborate in recording information on natural resources, to inform management plans.

105 respondents (38%) answered this question (i.e. said they agree, disagree or need more information). The remaining 174 (62%) either gave no views at all on this issue, or provided comments on the proposal without making clear whether they agree, disagree or need more information.

## Agree

87 respondents (83% of those who answered the question) said they agree with the proposal. This is just under a third of all respondents to the consultation. One of the main reasons given was that increased public availability of environmental data is likely to facilitate more efficient and consistent environmental assessments and decision-making.

It was felt that Local Records Centres (LRCs) had a key coordination role to play, recognising that data held by LRCs could play a major component in developing a system through which professionals and members of the public can better understand their environment, and be involved with evidence gathering.

One model proposed was for all government and statutory agency data to be presented spatially, published in a common format and accessible from a single portal, preferably online. While it was recognised that spatial data from all agencies is easily available and could be combined to provide the best possible evidence and guidance, it was also imperative that existing spatial databases are incorporated into or compatible with any new system.

One respondent emphasised the need for good data management and continuous monitoring of such systems to ensure they stay up to date and function adequately.

## Disagree

4 respondents (4% of those who answered the question) said they disagree with this proposal, including on the basis that Local Record Centres already provide this service. Other views were that Welsh Government should focus on getting the new

single body right and that Geographic Information Systems (GIS) could follow later. Whilst not disagreeing with the proposal, one respondent thought that further development of 'LANDMAP' tool would be preferable to starting afresh.

**Need more information**

14 respondents (13% of those who answered the question) requested more information to be able to express a view.

**Other views**

174 respondents (62% of all responses) did not answer the question, but these did include a few considered responses to this issue.

One respondent recommended that more consideration should be given to ensuring compatibility of spatial data between different software systems rather than to Geographic Information Systems (GIS) per se, and this could be done through the development of a knowledge and information management strategy to provide a clear steer on information needs that address fundamental knowledge gaps.

Respondents noted that we need to continue to develop our understanding of ecosystem functioning and services, only then can consideration be given to developing appropriate software to make this information easy to use and understand.

Another common response was that GIS is a useful tool but it is only as good as the data it contains. More than one respondent cautioned that GIS should not be used to make decisions, but requires interpretation by specialists.

Other comments included:

- developing interactive geographical systems to engage people more widely is a good core aim, but carries the risk that the system may be 'dumbed down';

- information should only be gathered if there is a clear role for that information in making judgements/decisions based on an ecosystems approach;

- there is a need to ensure that all aspects of geodiversity are included within any geographic information system developed.

**Overview**

This question refers to the need to ensure that practitioners get out into the
environment to find out what is happening, and for action to be evidence-based as a
result. The consultation paper also proposes tapping into the expertise and
commitment of local staff and other partners to help engage communities more
widely in stewardship of their local environment.

115 respondents (41%) answered this question (i.e. said they agree, disagree or
need more information). The remaining 164 (59%) either gave no views at all on this
issue, or provided comments on the proposal without making clear whether they
agree, disagree or need more information.

**Agree**

91 respondents (79% of those who answered the question) said they agree with the
proposal. This is just under a third of all responses to the consultation.

A view expressed by several respondents was that the approach should prioritise the
collection of field data on the actual impacts of land management practices. It would
need to provide the evidence needed for quantifying actual outcomes, rather than
activity levels or just those things that can be counted.

It was generally felt that the engagement of local people where appropriate at the
local level can bring longer term, sustainable benefits. For example "An holistic,
scientific approach to monitoring and data gathering will ensure sustainable
outcomes based on practical evidence gathering". Again it was suggested that local
record centres could play a key role here.

Another view was that the main priority should be to create a better understanding of
ecosystems in each area. One respondent pointed out that whilst far more emphasis
needs to be placed on gathering evidence, this information must be collected,
collated, stored, managed and shared in such a way that it is fit for a number of
purposes. Clear guidance is required to ensure standards are set appropriately.

A number of respondents' support for the approach was given with the caveat that
the use of scientists and specialists is also critical to the success of evidence
gathering and analysis.

**Disagree**

3 respondents (3% of those who answered the question) said they disagree, predominately because of the limitations to using the general public to monitor and report on species and habitats. There was concern both from the perspective of the practicalities coordinating such work, and that it could lead to poor quality records, collected by non-specialists.

**Need more information**

21 respondents (18% of those who answered this question) said they need more information. A key question raised in particular was how a greater emphasis on decision-making informed by practical evidence will actually be implemented.

**Other views**

164 respondents (59%) did not answer the question, but many of these responses included relevant comments.

Of these respondents the most common point raised was that monitoring and evidence gathering will require significant resources to implement. It was felt that Government must continue to support and fund its partners who collect data themselves and/or train and manage volunteers. It was argued that volunteers need to be provided with the necessary training and tools for the job, for example digital maps and software.

Respondents said that building capacity and skills for monitoring, as well as investing time engaging in community participation, will require sufficient resourcing. Proper funding of national recording schemes and local record centres combined with developing the skills of national and local expert recorders was considered by one respondent to be the minimum requirement for such a proposal to work. Schemes like the Lichen Apprentice Scheme were highlighted as a model which could be copied.

Similarly it was felt that education and training (particularly practical fieldwork) across all ages must be a core component within the *Sustaining a Living Wales* approach.

With respect to technologies, it was felt that although new technologies are developing fast, and Wales should encourage and promote testing of these new approaches in any new monitoring programme, they won't be cheap, and their true value will be dependent on the quality of results.

It was also pointed out that organisations are already collecting vast amounts of data which could be used more effectively.

> **Question 7: What do you think should be the main priorities for our work in simplifying and integrating designations, policies and regulatory regimes?**

**Overview**

The question seeks views specifically on what should be simplified and integrated, rather than on the proposition itself that regulatory regimes, designations and policies should be simplified and integrated. Many respondents answered this question alongside question 4 on the general principle of streamlining regulatory regimes. Also, many respondents expressed views on what should be the priorities for designations, policies and regulations generally, rather than commenting specifically on the issue of simplification and integration.

About 200 respondents (nearly three-quarters of all responses) provided comments relevant to this question. A large proportion of these comments related to designated sites, and in particular the role of sites designated for the conservation of biodiversity.

**Common themes**

*The role of designations and 'protected areas'*

About a third of all respondents to the consultation stated that retaining networks of protected sites, in particular Sites of Special Scientific Interest (SSSIs), National Nature Reserves and Natura 2000 sites, should be a priority. This was – by some margin – the most common point made in response to this question. The majority of these responses also stated that the protection and management of designated sites should be strengthened and improved, and that the network of sites should be extended. Frequent references were made to the recommendations of the 'Lawton review' of the SSSI system in England,[4] and that the findings of that review are equally relevant to Wales.

Many respondents also made the point that protected sites are an essential part of the 'toolkit' for applying the ecosystems approach, rather than the two things being in any way alternatives to each other. There were also concerns that the importance of protected areas was not fully acknowledged in the consultation paper, with an implication that they might be abandoned or at least significantly reduced, in favour of other approaches to the conservation and management of natural resources. There were many references to the need to safeguard these sites for the benefit of future generations, not to 'sacrifice' them for short-term economic or social gain.

The majority of those who cited the importance of protected sites also emphasised the need for measures to conserve biodiversity outside protected sites. Several commented that protected sites should be the best examples of our natural environment and constitute the core of an approach that also encompasses the wider environment, rather than acting as 'nature's last refuges'.

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[4] *Making Space for Nature: A review of England's Wildlife Sites and Ecological Network.* Report to Defra, September 2010.

Others suggested that reviewing environmental designations and regulations might be focussing in the wrong place. Instead, in the context of sustainable development and the adoption of the ecosystem approach, it was suggested that it was more important for any new legislation and policies to address the social and economic drivers and root causes of ecosystem damage and depletion of natural resources. It was suggested that a lot of effort spent on 'looking after the environment' is actually being spent on repairing damage caused or exacerbated by other Government policies.

*Simplification and streamlining to achieve better outcomes*

The second most common theme in responses to this question concerned the principles and practicalities of simplifying current designations and regulations.

The majority of respondents expressed in-principle support for simplification and streamlining, and the responses fell into two broad categories of roughly equal numbers:

- Those expressing largely unqualified support for simplification and streamlining of regulation relating to the environment, in order to reduce regulatory burdens on businesses and landowners, facilitate economic development and make the legal framework more accessible and understandable by people;

- Those expressing support for streamlining and reduced regulatory burdens, but only if it can achieved without any weakening of standards of environmental protection.

A large proportion of these comments also expressed concerns about whether the Welsh Government's overall priority in this area was to improve environmental outcomes or to 'deregulate', with some suggesting that it may not always be possible to reconcile conflicting interests, and that sometimes 'tough choices' need to be made.

A significant number of respondents advocated more use of 'risk-based' approaches, and a more flexible, pragmatic approach to environmental regulation which takes account of 'the bigger picture' and broader outcomes rather than being preoccupied with compliance with legal processes and a narrow view. For example, 'lighter touch' regulation was suggested for minor works which pose low risk, with criticism of current regulation/assessment systems being that they apply with equal rigour regardless of the scale or level of risk associated with a project. Other suggestions included fast-tracking applications from those with good records that demonstrate compliance with environmental standards. The concept of 'environmental triage' was suggested as an approach where applications or proposed developments undergo different levels of assessment depending on the risks associated with them or the sensitivity of their location.

Alongside advocates of risk-based approaches, approximately equal numbers of responses urged the retention of the precautionary principle as the basis for environmental decision-making, with some adding that it needs to be made clear what a 'risk based approach' actually means in practice. A significant number of

respondents noted with concern the absence of any reference in the consultation paper to the precautionary principle.

There was strong support for reducing the number of different permissions and consents required for the same development or activity. A number of respondents suggested that the ultimate aim should be a regulatory 'one stop shop' where landowners, developers and businesses can obtain all necessary environmental permissions. The necessity to separately obtain both planning permissions and protected species licences was cited in particular as an area where improvements could be made without any reduction in the standard of protection afforded to biodiversity.

Another commonly expressed view was that designations should not be 'over-simplified'. Respondents suggested that the differences between types of designations are important because the environment is complex, as is the way in which society uses and values it. Therefore the retention of the 'detail' in the system was important to reflect the distinct purposes of different designations and to provide the means of balancing the purposes of the designation with the interests of stakeholders. Concern was expressed in some responses that over-simplification could mean 'dumbing down' designations to the lowest common denominator (i.e. the weakest environmental standards), while others stated that over-simplification might have the opposite effect, whereby a simpler system of designations could be more restrictive on economic activity than current systems.

In contrast, several respondents called for a reduction in the number of different types of environmental designation to make the system easier to understand.

*Use existing legislation better, rather than change it*

The third most common theme in responses to this question was that the priority should be on developing ways to use existing legislation and regulatory processes better, rather than on legislative change per se. The commonly expressed view was that failures or weaknesses with current systems, including for example the failure to meet biodiversity conservation targets, are a result of failures to implement existing legislative tools properly, rather than because the legislation itself is at fault.

Lack of adequate compliance and enforcement of environmental regulations was frequently cited as the biggest problem, with many people suggesting that resources for enforcement have generally been insufficient.

The efficiency of regulatory processes, or rather the inefficiency of regulatory processes, was often cited as a key area for improvement. (There was some common ground here with the comments on regulatory streamlining.) Suggestions included the need for applications (e.g. for development consent) to be better prepared at the start of the process. Delays later on in the process are often the result of applicants not knowing at the outset what information they need to provide. Related to this, a number of respondents suggested that far better use of guidance could be made, either to ensure that all parties better understand the regulatory processes and the requirements, or even to steer development and other activities away from needing regulation in the first place. Other suggestions included more

sharing of information between different regulatory authorities about regulated business, to reduce the need for repetitive form-filling by applicants, and making sure that those making regulatory decisions have the necessary expertise and professionalism to deal properly with the industries they regulate. This latter point was of particular concern to some in view of forthcoming changes to the institutional arrangements in Wales and the creation of the new single body.

Most of those urging improved implementation of current legislation were not opposed in principle to revision of the legislation itself, but said that it would be wrong to dismantle current legal frameworks without clear evidence that the legislation itself is the problem, rather than the processes by which it is applied. Opinions were divided on whether current systems of designations and regulations are generally familiar and understood by stakeholders, or whether most find them confusing and over-complex.

*The reform process*

The fourth main theme in the responses to this question concerned the general approach that should be taken to reforming policies, practices and legislation to achieve simplification and integration, rather than what the priorities for simplification and integration actually are.

Two respondents suggested that this question is too general to be answered in any detail at this stage, and that therefore the priority should be to put in place a robust programme for taking this particular strand of work forward. This best expressed the general views under this theme. Others suggested getting the new single body up and running first, so that it could carry out the necessary work to identify where regulations and designations should be simplified and integrated.

Many others questioned what evidence there is for the need for simplification and integration, suggesting that the first priority should be to develop a robust evidence base for change. For example, it was suggested that a thorough review of the economic costs and benefits of designated sites should inform any proposals for change. Several respondents specifically questioned why policies relating to National Parks and AONBs are considered to be in need of revision. Their view was that evidence indicates they are working well and are considered exemplars of an integrated approach to natural resource management.

Several respondents also urged 'evolution not revolution', the main reason being to ensure that businesses and regulators have the necessary time to adapt to any new systems, and suggested that there are significant risks in attempting to implement change too rapidly in this complex area.

The fact that several separate bills of key relevance are being progressed simultaneously by WG was noted by a number of respondents (Planning Bill, Heritage Bill, Sustainable Development Bill, Environment Bill). Some concerns were expressed about the degree of 'join up' between the different parts of the Welsh Government taking forward this legislation, and the need for separate pieces of legislation. Concerns also related to the potential impact of significant legislative reform on businesses and other stakeholders, in terms of creating uncertainty, and

their ability to engage with the legislative process. It was suggested by many that all efforts should be made to integrate these different legislative programmes, and possibly consider combining all or some of them.

Another issue highlighted by a significant number of respondents under this general heading was the need for stakeholders to be meaningfully engaged in the development of any new legislation, processes and policies, in particular regulated businesses and groups and communities affected by designations and regulatory decisions. This was considered important to ensure that relevant expertise from outside Government and regulatory bodies informs the development of new approaches. It was suggested that any new systems are more likely to work if the stakeholders affected feel they have some 'ownership' of the process.

Other views expressed included:

- Any systems for environmental regulation and designation must accommodate social and economic aspirations, including in particular the needs of farming and commercial forestry.

- No loss of permitted development rights.

- Systems for consenting of energy developments need an overhaul.

- It is important to ensure transparency of regulatory processes. A priority should be to ensure timely and clear provision of information to communities and stakeholders affected by environmental regulatory decisions.

- Environmental regulation generally should be a lot more stringent than it is now.

- Greater priority should be given to establishing marine protected areas as part of ensuring the health of marine ecosystems, and some 'no take zones' in the sea are an essential part of the way forward.

- The boundaries of designated areas need to reflect ecosystem boundaries, otherwise designated sites cannot contribute effectively to adoption of the ecosystem approach (an example was cited of rivers designated as SSSIs/SACs where only the river corridor itself is include, whereas effective management of the entire catchment is necessary).

- Wales should not develop its own interpretation of EU legislation, which could undermine co-ordinated UK-wide efforts to address pressures on the environment and biodiversity.

- There was also a suggestion that Wales should be prepared to 'go its own way' and not be 'held back' by larger nations.

- Effective Environmental Impact Assessment (EIA) at the project level is key to ensuring good environmental decision-making. The value of EIA could be improved still further by making more use of post-implementation monitoring of environmental effects, improving the information base for subsequent decision-making.

- EIA and Health Impact Assessment should be integrated.

**Question 8: What would you define as the main success criteria for natural resource management?**

**Overview**

The question seeks views specifically on what successes might look like through a natural resource management approach. Many respondents felt that more detail and definition of natural resource management would be required for them to answer this question fully. Respondents felt the term 'national resource management' and 'natural resource management' were used interchangeably in the consultation, which was confusing.

Less than half of respondents were recorded as providing comments relevant to this question. Of these respondents, some expressed views on general priorities for natural resource management, whilst others suggested anything from one, to a whole range of performance measures to be met that would indicate success. Some respondents expanded on their view of what the success measures should be with suggestions on the approach to be taken to achieve them.

**Common themes**

*Biodiversity*

Approximately a third of respondents that answered this question stated that meeting biodiversity targets, and halting and reversing the loss of biodiversity, should be defined as one of the main success measures of natural resource management. Many respondents suggested that favourable conservation status of habitats and species in designated sites, increased biological health outside designated sites, together with connectivity of wildlife spaces, were also important success criteria.

*Sustainability*

The second most common theme of responses to this question was that sustainability was one of the main success measures of natural resource management. The responsible use of natural resources, sustaining productivity without degrading the environment, allowing for economic growth without detriment to the environment, and generally balancing the environmental, economic and social dimensions were themes which appeared regularly in the responses.

A number of respondents suggested using current environmental indicators as measures of performance, such as Ecological and Carbon Footprints, and 'one planet living'.

*Decisions*

The third most common theme in responses to this question was that having an integrated approach to decision-making which would resolve conflicting issues should be a key success measure for natural resource management. A number of

respondents felt that clarity for decision-makers and quicker decision times were important criteria.

Other respondents highlighted the importance of involving all disciplines and stakeholders in decision-making process, in order to achieve better outcomes.

Some respondents mentioned that the integration of plans and planning processes would help bring about this success, and suggested that the desired outcomes could be achieved through a partnership approach and possibly sharing budgets across different functions and organisations.

*Ecosystem Services*

The fourth most common response to this question defined enhanced delivery of ecosystem services as the main success measure for natural resource management. A number of respondents said there should certainly be no deterioration and ideally some improvement in ecosystem services.

**Other comments**

Other success criteria for natural resource management identified were:

- Engagement and education to increase ownership and acceptance.

- Woodland creation and protection.

- An approach which focuses on benefits and win/win outcomes rather than compromise and trade-offs.

- Measuring success with a whole suite of indicators, indicators such as improved water, air land quality, improved health and well-being, increased GDP related to environmental businesses, and more 'green jobs'.

**Question 9: What would be the success factors for the Single Body in delivering the new approach?**

**Overview**

The question seeks views on what successes may be realised specifically for the new single body in delivering the new approach. Many respondents felt that the new approach had yet to be defined for them to answer this question fully.

Just over half of respondents provided comments relevant to this question. At least one third of respondents to this question focussed on attributes that they said the single body should have, rather than necessarily the factors by which its success in delivering the new approach should be measured.

Many respondents suggested that their answer to this question was in essence the same as to Question 8 concerning the success measures for natural resource management. Therefore the most commonly cited success factors for the single body related to biodiversity targets and nature conservation functions.

**Common themes**

*Biodiversity*

Over one third of the respondents that answered this question stated that meeting biodiversity targets – halting and reserving the loss of biodiversity – should be defined as one of the main success factors for the single body in delivering the new approach. Many respondents stated that the single body should be a champion for nature conservation.

A number of respondents suggested that a success factor for the single body should be its ability to recognise and promote the value of nature, irrespective of whether the benefits to people are obvious or can be measured financially. It was suggested that the single body should stand in opposition to a 'quick buck' view of natural resources.

*Education*

The second most common theme is the responses to this question concerned the role of the new single body in the education and engagement with others. Respondents said that the single body's ability to deliver its functions and achieve its outcomes would be facilitated by wider understanding and acceptance of, for example, the ecosystem approach and the importance of ecosystem services. Emphasis was placed on the single body engaging effectively with individuals, communities, businesses – especially those involved in land management – and other decision-makers such as local authorities.

*Decisions*

The third most common group of responses to this question was around the success factors for the single body in its decision-making. The opportunity for a new framework for environmental decision-making being more joined up, with experts working together, delivering a more predictable, consistent and timely decisions, was cited by many respondents. There was a general feeling that there should be less bureaucracy, and that the creation of the single body was an opportunity to achieve this.

*Single body Attributes*

As already mentioned, many respondents took this question as an opportunity to identify the attributes that they feel the single body should have. The more common suggestions were:

- A clear and comprehensive remit and integrated policy and outcomes.
- To 'more than the sum of its parts', that is to continue to do all the things that the three legacy bodies do, and more.
- Provision of advice and guidance to all.
- Function together rather than in the three parts.
- Retain and expand areas of expertise.

**Question 10: Have we reflected the opportunities for business, enterprise and economic development with the natural environment? If not what have we missed?**

**Overview**

The question asks whether the economic development opportunities for business and enterprise within the context of the natural environment have been covered sufficiently in the consultation paper. It then seeks views on what has been missed if the opinion is that insufficient coverage is given to the economic development/business element.

Less than half of respondents provided comments relevant to this question. The majority of respondents did not explicitly state that they agreed or disagreed with the first part of the question, but more than three quarters of those who commented on this question said that not enough emphasis was put on the opportunities for business, enterprise and economic development.

**Common themes**

A common theme amongst respondents was that there was a missed opportunity to communicate, engage, and even educate business of the importance of the environment to the economy and job creation. It was suggested that the consultation paper was a missed opportunity to engage a new generation of businesses which would contribute to minimising adverse impacts on the environment.

Many respondents stated that higher profile should be given to awareness of the links between the environment and business and that no enterprise can exist independently of environmental resources.

It was widely stated that the current balance was already too much in favour of the economy and business to the potential detriment of the environment. There was general concern in these responses over the tone of the consultation paper and its implication that natural resources are there to be exploited and profited on. There was a perception that the proposals might be for making it easier for developers to pursue short-term financial gain, which many saw as being at the expense of the long-term health of the environment.

Only a handful of respondents felt that the consultation paper had reflected the opportunities for business, enterprise and economic development with the natural environment adequately. A couple of respondents felt that there was still a need to raise awareness amongst other policy areas and engage with them.

The main 'missed opportunities' cited in responses were as follows:

*Particular sectors*

Many respondents emphasised the importance of the contribution their sector makes to Wales' economy, but by far the most commonly cited opportunity was tourism and

the outdoor leisure and recreation industry. A number of respondents stated that there was considerable opportunity in Wales for businesses based on the environment given that the beautiful and diverse countryside and sea is Wales' principal asset.

Forestry was another sector which a number of respondents felt the consultation paper under-emphasised in terms of opportunities offered for economic development in rural areas.

One respondent considered there should be greater reference to minerals, arguably one of Wales' most important natural resources.

*Incentives/Market Instruments*

The second most commonly cited missed opportunity was the potential role that incentives or market instruments could play. Suggestions were made that businesses, and indeed individuals need to be made aware of the true cost of management of the environment.

Incentives for provision of ecosystem services, in particular regulating services, were mentioned on a number of occasions. There were suggestions that new ways should be found for those benefitting from ecosystem services to pay for them, rather than receive them free of charge. There was a wide range of suggestions on how to develop incentives at all levels, such as prizes for community-scale projects (for example the village with least waste going to landfill), and agricultural incentives based on the range of ecosystem services provided.

*Practical examples*

The third most common opportunity that respondents suggested had been missed in the consultation paper was providing examples of the benefits to business that the environment could provide.

*Business in support of the environment*

The fourth most common missed opportunity identified was to elaborate on the role that business can play in support of the environment, in particular their contribution to the development of innovative and flexible solutions to environmental problems, and in helping achieve the Government's environmental aspirations.

**Question 11: Have we reflected the opportunities for social and well-being benefits for the people of Wales with the natural environment? If not what have we missed?**

**Overview**

The question recognises that the social and well-being opportunities of the people of Wales are significant in the management of the natural environment, and asks whether this issue has been covered sufficiently in the consultation paper. It then seeks views on what has been missed if the opinion is that insufficient coverage is given to the social and well-being element. Less than half of respondents provided comments relevant to this question, and the majority of those did not explicitly state that they agreed or disagreed with the first part of the question.

More than 80% of respondents that answered this question felt that not enough emphasis was put on the social and well-being benefits for the people of Wales. Only 7 respondents agreed that the consultation paper reflected the opportunities for social and well-being benefits for the people of Wales with the natural environment.

Approximately 10% of respondents recorded as commenting on this question suggested that the balance in the consultation paper is too anthropocentric and concentrates too much on what the environment can do for people, and not enough on the intrinsic value of nature (see also section 5 dealing with other issues raised).

**Main themes**

*Cultural Services*

As with Question 10 on economic opportunities, a frequent response from industry was to highlight the importance of particular sectors' contributions to social well-being. By far the most common criticism in this context was that the importance of cultural ecosystem services to social well-being was not reflected significantly enough. This included outdoor leisure, tourism, recreation, the ability to access green space (particularly in urban areas) and enjoyment of heritage and the historic environment. In particular, respondents cited an insufficient emphasis on the role of cultural ecosystem services in increasing the health and well-being of the people of Wales and people from outside Wales.

*Education*

The second most common opportunity felt to be missing was the potential role of education and communication of such benefits. Almost a quarter of respondents to this question said that the natural environment provides considerable opportunities for learning and development and, in particular, communicating the health opportunities to a wide range of individuals from school age to adults. Other opportunities included the involvement of communities with economic, social and environmental regeneration initiatives, raising awareness and enabling social and well-being benefits to be realised.

Some respondents also mentioned the need for more illustrations and examples of the health and well-being benefits of the environment in order to get more buy-in across society. A number of respondents commented that over time people could re-connect with their environment, which would be of benefit to both them and the environment.

*Cross-cutting budgets*

The third most common opportunity respondents suggested the consultation paper had missed was the role that cross cutting budgets could play in improving health and well-being. Policy integration and the multiple benefits to health, education, business/enterprise and the environment were seen as potential areas of success. It was suggested that directing public money towards improving health and well-being through environmental improvements such as access to green space and promoting outdoor activity, should not be seen a competing with other areas of public expenditure such as health, education and law enforcement, but as a cost-effective way to help achieve a range of social policy objectives. For example money spent on improving access to urban green space could produce significant savings in health budgets, by helping to address some of the causes of obesity and mental illness.

**Question 12: Where should the boundaries lie between land use planning and environmental management planning and consenting?**

**Overview**

About 90 respondents provided responses to this question. This included 8 who stated that they didn't understand the question or could not see what it was getting at, with the remainder of respondents divided in how they addressed the question, falling broadly into two groups. One group addressed the question as being about the boundary or relationship between the development control process under the current planning system, and systems of environmental regulation and permitting. The other broad grouping addressed the question in terms of the relationship between current strategic planning frameworks, particularly local authority development plans, and the proposals in the consultation paper for natural resource planning. There was considerable overlap between the responses to this question and the responses to question 15 on how local or national resource management plans could help the preparation of local development plans.

Nearly all those who responded to this question appeared to characterise current arrangements as consisting of two systems: the planning system on the one hand, and all other environmental matters grouped into a second system on the other. In other words the various arrangements for environmental planning and regulation tended to be lumped together as a single 'system', distinct from the planning system.

**Main themes**

The most commonly made point was that there shouldn't be a boundary between planning and environmental regulation, in other words that the two systems should be completely integrated or even that there should be just one planning and regulatory framework. One respondent questioned the need for planners and environmental regulators to even be in separate organisations, while others appeared to see 'integration' as being about much closer working and co-ordination.

In contrast, a number of responses stated that the two systems should be (remain) separate, arguing that they are complimentary and should sit side by side with effective links. One respondent argued that it is better to describe the distinction between them as an 'interface' rather than as a boundary. Several of those in support of retaining them as separate processes stated that any problems or inefficiencies with current arrangements could be resolved through better working practices and changes to organisational 'culture' rather than requiring any fundamental changes to the legal framework. Some were sceptical of the practicality of integrating them in any case, and saw the planning system as an essential arbiter of all the economic, social and environmental matters that should be taken into account in planning and consenting.

The importance of sustainable development (SD) – defined by the three pillars of environment, economy and society – as a unifying principle for all decision-making systems was highlighted in many responses, the suggestion being that if SD is

properly embedded into all organisations and decision-making processes, the practical arrangements for delivery of planning and consenting will follow.

There were numerous suggestions about how the planning system and natural resource planning should 'sit' in relation to each other. Most respondents felt the planning system should have primacy as an overarching framework, with natural resource planning being one of the things to be taken into account in planning and development control. However there were also suggestions that environmental matters should have primacy and that the planning systems should sit below a natural resource planning framework.

Nearly all respondents appeared to accept that the planning system needed to be able to deal more effectively with environmental issues. There was a prevailing view that natural resource plans should be statutory, and that planning authorities should be under a duty to take them into account as a major part of the evidence base for planning and development control. Several suggested that this should be clearly set out in new Welsh Government planning guidance. Another suggestions included requiring local development plans to have targets for biodiversity and geodiversity and to give planning for green and blue infrastructure the same status and importance as 'hard' infrastructure and other economic and social considerations. It was noted that some local authority plans are already going in this direction.

Several respondents highlighted that there are huge areas of decision-making affecting the environment and natural resources that lie outside the planning system, particularly agriculture and forestry. It was suggested that this represents a 'fragmented' approach to natural resource management, which acts as a barrier to adopting the ecosystem approach. A suggested way to address this was to bring agriculture and forestry fully into the planning system. Others saw the current arrangements as recognition of the different nature of the two regimes (one based on regulation and control, the other on incentives) and suggested that it made sense to retain the current broad distinction.

Many expressed the view that the question is premature, suggesting that the Welsh Government should await the findings of the review of the planning system and then develop options. A number of respondents asked for further clarity about Welsh Government's intentions rather than expressing their views on this question. The relationship of natural resource planning to the Wales Spatial Plan was raised, with several respondents asking whether the intention is for natural resource planning to replace, or to sit alongside the Wales Spatial Plan.

A widespread view was that however the relationship between the two systems is to be defined, it should reduce complexity and make planning and regulation more efficient, not simply add another 'layer' of planning. Several respondents stated that it was critical to get this clear and agreed from the outset.

**Other points raised**

- It should not be necessary to obtain consent for the same activity under both regimes. Either system should be designed to be able to address all

relevant issues so that consent under one system should negate the need for consent under the other.

- Useful lessons could be taken from National Park and AONB planning processes, which already seek to balance and integrate across the range of economic, social and environmental issues. Such plans could provide a useful model or pilots for linking natural resource planning to wider planning issues and linking to the development control process.

- The two systems should be either completely integrated or completely separate – current arrangements are not working.

- Natural resource planning should be a very high level national framework to inform and guide sector-specific plans, which is where all the detail should be.

- Environmental issues should have higher 'status' and emphasis in planning than at present.

- Economic considerations should be given increased importance in the planning system to bring them up to being on a par with environmental and social interests.

- The processes for resolving conflicting priorities between national and local planning and consenting priorities, is a more important issue to be addressed than the boundary between environmental consenting and the planning system.

- There is a need to consider how the new framework for planning in Wales will relate to the planning system in England.

**Question 13. What skill and tools would we need to make the new approach successful? Can you help us develop these?**

**Overview**

This question sought views on the skills and tools required to implement the main proposals in the *Sustaining a Living Wales* Consultation. Whilst there was no specific dialogue in the document around skills and tools, it does imply a new way of working, which could require different skills.

240 responses (86%) were recorded as providing comments relevant to this question.

**Common themes**

There were a range of comments in relation to this question, with no themes being particularly predominant.

*Understanding of the ecosystem approach*

A significant proportion of responses mentioned the need to consider the principles for the ecosystem approach as defined under the Convention on Biological Diversity and how they should be applied in practice. Although not specifically a tool, these were cited as important guiding principles in any planning system, and need to be properly understood and interpreted for practitioners.

A few respondents referred to the need for skills in behaviour change to ensure that a move towards the new approach could be achieved, through a series of small 'nudges' for example. Senior level leadership of public bodies and having influential 'champions' in wider society will also be key to bringing about this culture change.

*Working with communities*

Participatory approaches were considered a useful starting point for developing and building the tools and skills. Skills in community engagement and facilitation, capacity building of local communities and other species identification training would be required to make the proposals for engaging more widely in monitoring and evidence gathering successful.

It was acknowledged that many of the organisations that are concerned with conservation are less experienced in terms of community engagement and it was suggested that this needs to be addressed. The contrary view was also frequently expressed, namely that for conservation charities, not least those with large memberships, public and community engagement is their 'bread and butter' and they have considerable experience and skills in this area. Meanwhile many organisations and partnerships whose remit is community engagement for primarily social reasons, may not naturally understand the benefits of green space and the natural environment being part of their work. It was suggested that these organisations could work more effectively together.

*Natural sciences*

Stakeholders used this question as an opportunity to highlight specialist expertise that had been left out or under-played in the consultation paper, for example; heritage, landscape, planning professionals and the earth sciences. One view was that more ecologists were needed.

It was recognised that there will be increasing demands for science research in many disciplines but research funding (at a UK level) is currently the responsibility of separate Research Councils. It was argued that Wales does not have a national research capacity to deliver ecosystem research effectively, and so collaboration and cross-border partnerships will remain important. One respondent commented that whilst the ecosystem approach is still a relatively young science, and it is important to be continually developing research in this field, the largest mistake we could make is waiting until we have the 'perfect data', as by then many opportunities will have been missed.

*Social sciences and humanities*

There were a number of individuals and professional bodies offering their support in delivery of the *Sustaining a Living Wales* approach. It was felt that development of a natural resource planning approach should use the skills that existing land-use planners have. Others recommended ensuring that university and other higher education courses should ensure students have skills in integrating policy areas, such as public health and spatial planning, economic land use and sustainable environmental management.

There were also a number of references to projects that could be learnt from, both in Wales and further afield. Two such examples were integrated coastal zone management (ICZM) and Natural Resource Management in the Australia.

**Other points raised**

Further suggestions in response to this question included:

- better management of data and use of Information Technologies;
- use of mobile technology in monitoring and reporting;
- better collaborative strategic planning & frameworks;
- better integration and more effective use of existing skills and expertise through breakdown or barriers and 'silo' working;
- people are our biggest asset.

**Question 14: How could we ensure that offshore (marine) and onshore resource management plans work together?**

**Overview**

This question picks up on a section of the consultation paper which set out the current policy framework for marine spatial planning, argued that marine spatial planning is already being developed in accordance with the ecosystem approach, and stated that the Welsh Government intends to align marine planning with terrestrial natural resource planning.

Overall, 51 responses (18%) were recorded as providing comments on this question. Most of the comments were fairly brief.

**Main comments**

There was almost no disagreement with the principle that marine and terrestrial plans needed to be integrated. Several respondents drew attention to differences between the marine and terrestrial environments that would need to be taken into account, including; the more dynamic, less 'fixed' nature of the marine environment, the relative lack, and low resolution, of data about marine ecosystems, and a view that society has a more 'distant' relationship with the sea than with the land. For example, there are no landowners in the sea, and our relationship is defined more by the impacts we have on it rather than the value we derive from it.

As regards the question of how in practice terrestrial and marine plans should work together, the responses were mainly quite general rather than giving specific suggestions. A few suggested that there should be a single national resource plan covering both land and sea, while others went into a bit more detail, suggesting that there should be an overarching natural resource plan covering both land and sea, under which marine and terrestrial plans would sit as components of the overall system.

In contrast, a number of other respondents suggested a series of national sectoral plans (for example covering energy, minerals, transport, food, flood defence) which covered both terrestrial and marine environments. Some sectors, notably aggregates, were highlighted as already working in an integrated way across the land/sea boundary.

There was a widespread view in the responses to this question that embedding the principles of sustainable development into marine and terrestrial spatial planning would itself have an integrating influence.

A significant number of respondents were critical of the lack of clarity about Welsh Government's intentions here, effectively turning this question back to Welsh Government. Many of these responses also argued that the consultation paper gives the impression that marine spatial planning is more advanced than it is and stated that lack of resources and insufficient priority has limited progress in the development of marine spatial planning.

There were several references to Welsh Government's Integrated Coastal Zone Management (ICZM) strategy and suggestions that, since the whole basis of ICZM was integration, it should be the basis for taking work forward in this area.

**Other points made**

- A need for a culture change in the bodies responsible for planning was identified, so that people in all sectors recognise the interdependency of land and sea, rather than seeing the 'other' environment as someone else's responsibility. A couple of respondents pointed out that the need to recognise the links between adjacent ecosystems and take account of them in resource planning and management is one of the key principles of the ecosystem approach.

- It was suggested by some respondents that natural resource planning covering both land and sea must include agriculture and fisheries. It was also suggested that the new single body should have responsibility for both these sectors.

- A few responses proposed that Pembrokeshire, and specifically the Pembrokeshire Coast National Park (PCNP), had a geography ideally suited to developing approaches and tools for integrated planning and management of adjacent land and sea areas. It was suggested for example that extending the boundaries of the PCNP to include the seas around Pembrokeshire might provide a framework for testing integrated approaches to land and sea, natural resource management and ecosystem and landscape based approaches.

- One respondent suggested extending the planning system to include the marine environment.

**Question 15. How could national or local resource management plans help preparation of local development plans?**

**Overview**

The consultation paper discusses the future legal status of any natural resource plans, including whether they should be given a specific status in relation to the land use planning system. This question sought views on how resource management plans might support the existing framework of local development plans.

100 respondents (37%) were recorded as providing comments and suggestions under this question. Some of the responses to this question overlapped with the responses to Question 12 on where the boundaries should lie between land use planning and environmental management planning and consenting.

**Common themes**

Many respondents cited examples of where a Natural Resource Planning approach currently happens, including references to Australia and New Zealand, our own National Park Management Plans and their relationship with National Park Local Development Plans, and in minerals planning and the identification of Minerals Protection Zones being based on geological maps.

*Statutory basis*

The most common issue raised was that for any resource management plans to have effect they must have a statutory basis and must be fully integrated with local development planning processes. It was felt that non-statutory or 'advisory' plans would not be effective, and would be a waste of resources.

There was a range of views on how this might work in operation. The majority of respondents proposed that a national plan should facilitate the preparation of local plans, and that a tiered approach was important. However it was recognised that targets needed to be established from a combination of both 'bottom up' and 'top down' approaches. As can be seen from the analysis of responses to Questions 2 and 3, not everyone agreed with the need for national or local natural resource plans.

Some respondents thought that the resource management plan should be given higher status than local development plans, or even replace them, as well as over-ruling local bylaws.

*Existing land-use planning framework*

Several respondents pointed to the existing role of the planning system in natural resource management and conservation as far as development is concerned, in balancing development pressures and needs with the needs of natural resource protection. It was suggested that natural resource planning, and the consideration of ecosystem services could become a formal 'material consideration' in the planning system to help inform the feasibility and location of future developments.

*Evidence base*

It was widely suggested that a national and/or local resource management plan would form part of the evidence base in support of the development of Local Development Plans (LDPs), and could be helpful in contributing to the evidence base for Strategic Environmental Assessments. Other views included setting legally binding targets for delivery of ecosystem services (such as high quality accessible green space) and that the development plan system should be a tool for delivering those targets as part of a healthy environment, economy and society.

One response considered how the ecosystem approach might be applied at both an LDP and an individual planning application level, and concluded that this might be best linked to Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA). If an ecosystem approach could be applied to the development of LDP policies, then the resulting LDP could play a crucial role in setting out what type of developments are most suitable and where.

*Role of the new single body*

There was a significant amount of comment about the role of various organisations in the preparation of national and local resource management plans. Whilst some agreed with the consultation paper that it should be the responsibility of the new single body to undertake planning for natural resources at the local level, a smaller number disagreed, and thought that either local authorities should be responsible, or that it would be best delivered by Welsh Government working in partnership with Local Authorities, with the single body having a formal advisory role as a statutory consultee.

One view was that whilst the single body should continue to provide advice for sustainable development within land-use planning system, natural resource plans should focus more on the areas of non-developed land which are currently outside of the scope of the land use planning system. They should serve to provide incentives and direction as to the future management of those areas and should guide how funding and investment is targeted.

*Geographical coverage*

It was suggested that local natural resource plans wouldn't necessarily have to be produced at a local authority level. Other options suggested included 'eco-regions', a catchment based approach, a regional or multi-authority approach, or a nested approach with plans at various scales addressing different ecosystem services. A national plan could help identify the spatial issues that were of greater than local interest and required cross-border working.

*Environmental Limits*

A number of responses stressed the need for natural resource plans to clearly indicate environmental limits on the capacity of ecosystems to deliver services and benefits. This would enable better recognition of when potential 'tipping points' are close, or have been reached, helping to prevent any further harmful development.

There were many calls for natural resource plans to ensure that policies and priorities for land management comply with EU legislation and other international commitments, including the European Landscape Convention. There was significant recognition of the underpinning foundations that the current range of designated sites provide, something which it was felt natural resource planning should draw upon and in some places expand, for example through identifying larger designated areas as a spatial framework for planning. It was suggested that the plans would be a good way to identify core zones for biodiversity surrounded by buffer zones and linked by corridors.

*Alignment of Planning timetables*

There was a concern raised about aligning planning timetables as many Local Authorities are well on their way to adopting their development plans, and therefore would not necessarily be able to fully take into account local resource management plans until development plans are next renewed. Although as noted above the majority of respondents thought that natural resource plans should be statutory, opinion was divided on whether or not a requirement for development plans to be in accordance with the relevant natural resource plan should be applied retrospectively.

One response suggested that if the local resource management plan did not fundamentally conflict with the strategic direction of an adopted local plan then it might be possible to include them as part of the annual monitoring process at a future date.

*Other existing plans/information*

A number of respondents mentioned the role of Local Biodiversity Action Plans in supporting the evidence base for natural resource management plans, and several respondents also acknowledged the role that LANDMAP (landscape information) could play.

At least 2 respondents asked for clarification on both the relationship between natural resource plans and nationally important infrastructure projects and 'non-devolved' issues.

Several respondents requested more information of how the approach might work and asked for examples of how it works elsewhere.

**Other views**

Two respondents were insistent that the natural resource plans should seek to address head-on and resolve potentially conflicting issues, which would mean hard decisions need to be taken around resource management. In doing so there needs to be the recognition that some resources or ecosystem services will be lost to ensure others can be enhanced.

There was caution over the danger of creating a complexity of plans or even trying to cover too much in a single plan.

One respondent stressed that under no circumstances did they want a new system of local plans.

One respondent suggested the introduction of a new planning control system for non-developed land, to require Agriculture and Forestry development and operations to seek planning permission from the relevant local planning authority. The Welsh Government could set the broad context for what operations would be permitted where, and the local authorities approve or refuse consent.

One respondent said that cultural buy-in from stakeholders will be essential, particularly landowners, small business and industry. It was suggested this could provide a new type of partnership at the local level to identify local solutions and opportunities to address particular issues. These could help to address the local economy as well as the environment.

Other comments included:

- There could be significant opportunities to secure environmental actions through section 106 agreements and environmental levies.
- Natural resource plans should specifically recognise areas important for recreation and access.
- Natural resource plans should specifically recognise geodiversity and the abiotic environment. Failure to do so would undermine the whole system.
- Natural resource plans should identify sensitive areas that both have a value in delivering ecosystem services as well areas which have an intrinsic value.
- Local development plans should include a "wild lands" policy to identify areas of wild land which are important ecosystem service providers.
- Welsh Government should give consideration to more explicit duties on public bodies to engage in key processes around natural resource management.
- There is a need to jointly plan for the natural and historic environment.
- Natural resource plans should rationalise and not add to local designations.
- Spatial planning is a tool and not a delivery mechanism. Implementation is more important than the planning, and skills will be required for delivery.
- Succinct guidance for updating plans that are already in place might be a better option that a new series of plans.
- A consistent evidence base will be essential.
- Planners need to be involved in developing the areas of work that are proposed.
- Appropriate resources must be made available to ensure that the plans are fit for purpose.

**Question 16. Should local ecosystems outcomes be included in local single integrated plans?**

**Overview**

Local Single Integrated Plans (SIPs), based on an outcomes methodology, are owned by the Local Service Boards covering local authority delivery areas in Wales. They replace the separate statutory plans which are now in place for Children and Young People, Health Social Care and Well-Being, Community Safety and the Community Strategy.

The consultation paper recognised that the policies, decisions and actions of public service organisations have major impacts on ecosystems, and therefore sought views on whether local ecosystem outcomes should be included in these local SIPs.

Most respondents to the consultation did not appear to be familiar with these plans. Only 53 respondents (20%) responded to this question and of these, 12 responses just answered "yes".

**Common themes**

Of the more considered responses to this question, the general opinion was that this was a good idea, particularly in assisting with delivering requirements on sustainable development, and to engender a more joined-up, partnership approach to delivery. Embedding them could be the mechanism to stimulate debate and gain consensus on natural resource management between all stakeholders. Agreement would need to be found between all involved.

It was suggested that guidance would be needed to ensure a consistent approach.

It was felt by some respondents that Local Service Boards were in a unique position to drive forward an integrated approach, and that they should be particularly able to address the need for green infrastructure as a fundamental life support mechanism. The relationship between ecosystems and health and well-being was highlighted.

There was a divergent range of views as to how these outcomes should be set. Some respondents felt there should be a requirement to adopt more prescribed regional or national targets. One respondent recommended only including ecosystem outcomes if they were of international significance. Others felt that a prescriptive approach would not work, and outcomes would need to be derived and agreed locally, involving landowners.

A few respondents pointed out that changes to local ecosystems can be a good indicator of wider social, economic and environmental problems. One response said this would be a good thing if they were put in a more simple language.

Not everyone agreed that including ecosystem outcomes in local SIPs would be a good idea. There was concern that such outcomes might be difficult or even impossible to monitor or measure over a relatively short time-frame, and therefore questioned their value. One view was that introducing commentary on ecosystems

into SIPs might make them unmanageably large. Respondents felt that local planning authorities' Local Development Plans (LDPs) might be a better interface for ecosystems and natural resource management, and there was a reference to the model for integration used in National Park Management Plans.

**Other views**

Other comments included:

- Ecosystem outcomes should be embedded in all major strategic plans at both local and national levels.

- A natural resource audit needs to be the basis of all forward planning mechanisms, at whatever spatial scale.

- The use of ecosystem outcomes should be explored through pilots.

- Ultimately, ownership of the plan will be vital in the success of achieving ecosystem outcomes.

**Overview**

The consultation paper sought views on the opportunities to capture financial benefits for the owners and managers of land if appropriate and effective systems of economic regulation can be implemented, for example recognising the potential value in water and carbon management as an income source.

Overall, 100 responses (36%) were recorded as providing comments relevant to this question.

**Common themes**

The majority of respondents did not respond directly to this question, however of those that did, a common theme was the need to address existing regimes of subsidies and incentives, particularly agri-environment schemes. These could be complemented through the use of existing tools such as site management agreements, or the development of something similar.

Many respondents agreed with the need to explore an improved system of taxes and incentives for delivering ecosystem services. There were a series of examples suggested including the Forestry Carbon Code (which encourages woodland creation for carbon capture), the Rivers Trust Pure Water Initiative, the WWF Payments for Ecosystem Services project (PES) and the IUCN Peatlands Programme. Creating a market in quota rights (for example as with carbon emissions trading) and changes in property rights (for example giving outright control the quality of rivers to the new single body) were also suggested. It was commented that the Government could try to put a value on all of the costs and benefits of managing the environment that the market currently ignores and introduce measures to balance payments for these services. However the challenges that this creates were also noted.

Many other respondents were cautious of using a market-based approach, and some stated the need to avoid going down this route altogether, noting the difficulty that would arise in creating a market in something which the public believe or perceive should be free and available to all. Markets were considered by many as difficult to predict, and a market-based approach to 'ecosystem services' that over emphasises the services that humans receive could result be to the detriment of biodiversity. Others said that creating markets in environmental services is not an appropriate role for a public body.

One respondent warned of the danger of going down this route which they considered to be an irreversible decision. Some respondents thought it could be an opportunity to recognise that it is simply not possible to ascribe a monetary value to all environmental assets. Others felt that the 'polluter pays' principle was a tool that was yet to be fully realised.

A theme that featured in several responses was that the Welsh Government could consider the potential role of 'commuted payments' such as offsetting and conservation credits where these can offer the best solution. It was suggested that independent broker organisations could be used to deliver this. However, other respondents were wary of this approach, arguing that it could be seen as a licence for development to take place anywhere.

The setting of national targets was considered to be the starting point to developing markets. Respondents suggested that there was a need to gather more information about how such market mechanisms would work, thinking through the full consequences, before interventions were made. One suggested approach would be to host workshops with market leaders from across the UK and Europe who have successfully utilised their natural resources, as they may bring ideas, skills and knowledge to assist Wales. Another idea was to undertake a thorough assessment of those environmental assets that could be used without damaging their long-term sustainability and looking to see whether there is commercial opportunity. Another option suggested was to develop non-monetary ways of valuing natural capital.

It was felt by one respondent that developing different scenarios which considered the costs and benefits to society for different management or development options should form a key part of impact assessments or regulatory decisions. This might then be used and promulgated as best practice for other businesses. Another suggestion was that the inclusion of ecosystem service performance metrics in all government procurement programmes could create a market in these services.

One respondent considered that provisioning and regulating ecosystem services can be managed through interplay of market forces, regulation, and incentives, whereas cultural services cannot, and that it would be important for Welsh Government to recognise this.

Food was a subject that arose frequently in the responses. It was suggested that Wales should place more focus on developing local food at a commercial and community level to help sustain local economies and reduce the impact of ever rising food prices. One respondent suggested that connecting society to better choices with respect to food could create a willingness to pay for locally sourced, healthier produce. One response stated that farming needs to be seen as a positive force in the provision of essential ecosystem services, not an environmentally damaging industry.

The potential for agri-environment schemes to support delivery of a range of ecosystem services by the farming industry was acknowledged by many respondents. However there were concerns expressed about the degree of reliance being placed on Glastir to deliver significant environmental outcomes. The main concerns were around resourcing levels for the programme and the degree of uptake, with suggestions that it is essential for a voluntary scheme to offer sufficient financial incentives to prospective participants. Other comments on Glastir included suggestions that it should be run by the new single body, and that more needed to be done to encourage entrants.

The issue of creating local markets was raised, including suggestions for incentivising more "off-grid" energy developments and self-sustaining communities, and with competitions with financial prizes, to promote the most sustainable communities.

Health, leisure and tourism were frequently commented on as potential markets to expand, as well as better marketing of Wales for the 'intrinsic' value of its natural environment. It was felt more tourists would be attracted to a 'greener' Wales. Similarly there were views that Wales should make more of our high quality natural environment as an inward investment opportunity. It was thought however that certain aspects, such as access to green space, should continue to be a public good and paid for from the public purse.

## Question 18: What other changes to legislation or systems are needed?

**Overview**

A large number of respondents used their responses to this question as an opportunity make additional comments not covered by other questions. As the last question in the list, it was clearly seen by many as an invitation to raise any other issues that people felt were relevant, rather than specifically to suggest changes to legislation. However, only comments dealing with suggestions for change to legislation or to the way in which legislation is applied have been included in the following analysis. Other comments not specifically related to changes to legal frameworks are covered in section 5 of this report. Comments related specifically to streamlining and simplification of designations, regulations and policies have been dealt with under Question 7. That left a total of 66 respondents that made comments directly in response to this question.

There were no particularly predominant themes in the responses to this question, but 5 broad sets of issues were each flagged up by several respondents, together with a longer list of suggestions each made by one or two respondents.

**Main themes**

*The use of 'carrots and sticks'*

An issue raised by a number of respondents was the balance between 'hard' regulatory controls and 'softer' approaches based on incentives and improving people's understanding of the environment and their potential impact on it. Views differed on whether currently there is too much emphasis on one or the other, but there appeared to be a consensus that both sets of approaches are necessary and both can be effective and achieve the right outcomes. Several responses said that greater use could be made of positive incentive-based approaches. However that view contrasted with comments that the heavy reliance on essentially voluntary methods to manage the environmental impact of agriculture was a general failing of the current systems. It was suggested that the best way to approach this was not to toughen up regulation, but to explore ways to 'internalise' the environmental costs of decision-making. The argument followed that the necessity for environmental regulation arises because all too often the environmental costs of developments and economic activities are not borne by the social or economic beneficiaries.

*Improved enforcement*

As emphasised in the responses to Question 7, a number of people expressed the view that improvements are need in the enforcement of legislation relating to the natural environment. A specific change advocated by some was that the penalties for breaching of environmental legislation should be increased, to a level where the penalty is sufficient to act as a deterrent. It was pointed out that in many cases the commercial or other gain from breaching environmental legislation often far outweighs the severity of penalties that can be imposed. Responses also cited the

importance of powers to secure restoration of damage, as distinct from punitive measures.

*The process for implementing change*

As with the responses to Question 7, a recurring theme was not so much the detail of what legislation should be changed, but the process for deciding what should be changed and how that change should be brought about. A number of respondents suggested that the question itself was premature, and queried whether any new legislation was needed to enable the adoption of the ecosystems approach, or whether a great deal could be achieved using existing legal frameworks. It was suggested that a detailed analysis of where current frameworks are inhibiting the adoption of an ecosystem approach, was an essential precursor to introducing any changes. One specific suggestion was that all legislation and policies could be 'screened' against the 12 principles of the ecosystem approach[5]. Others commented that it would be necessary to further develop our understanding of what the ecosystem approach is, before identifying what types of legislative tools are required, and hence whether existing legal frameworks are suitable. Some suggested that the new single body should be established first so that it could take that work forward. Testing or piloting of any new approaches before enacting them in law was considered an important principle.

*Statutory duties towards biodiversity*

Although there was little disagreement with the idea that sustainable development should be the central organising principle for Welsh Government and its agencies, there were strong views expressed that an overarching sustainable development duty was not a sufficient replacement for specific duties to conserve biodiversity. Many respondents pointed out that the failure to achieve biodiversity targets was what triggered the development of the *Living Wales* programme. They argued that commitments to achieving biodiversity targets (which should also include geodiversity and the abiotic environment) should remain central priorities of the new framework, notwithstanding any commitments to embed sustainable development across the public sector.

Several suggested that the statutory duty on public bodies in section 40 of the Natural Environment and Rural Communities Act 2006 to 'have regard to' biodiversity in carrying out their functions, should be strengthened, for example becoming a duty to 'further' biodiversity conservation. It was added that re-invigorated Local Biodiversity Action Plan networks could help support the delivery of strengthened statutory obligations.

*Ways of working*

This group of comments concerned general principles about the way in which public bodies conduct themselves in the exercise of their statutory functions, rather than

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[5] Convention on Biological Diversity, 5th Conference of Parties, Decision V/6: http://www.cbd.int/ecosystem/principles.shtml

being concerned with any specific areas of environmental regulation. Comments included:

- There should be more professionalism, expertise and objectivity in regulatory bodies when making regulatory decisions.

- There should be more evidence-based decision-making and less recourse to the precautionary principle.

- There should be a statutory presumption in favour of data-sharing between public bodies. This was seen as way to both improve the evidence base for decision-making, make better use of public money and to reduce the bureaucratic burden on businesses and landowners.

- Better communication between regulators and the regulated is needed, including in particular the close involvement of land managers in the development and delivery of policy.

- There are significant resource implications for public bodies applying the ecosystem approach. Limited resources and the need to make timely decisions tends to drive public bodies towards taking a narrowly focussed approach to decision-making and adopting a 'tick box' approach. If all decisions are to be made having regard to the 'bigger picture', sufficient resources are needed to ensure that the necessary information and skills are available.

- There should be more flexibility and pragmatism in the application of 'rules' and environmental standards, in that regulators (and the regulated) should be more focussed on achieving favourable environmental outcomes in the broadest sense, rather than on compliance with regulatory processes and narrowly defined standards and objectives.

- Welsh Government should adopt a 'one in, one out' policy with new legislation, in other words for every new piece of legislation introduced, one should be repealed.

**Other points raised**

A large number of suggestions for change were made by one or two respondents:

- Legislation is needed to improve opportunities for public access to the countryside, including to protected areas, and to improve public rights of way. There should be a presumption in favour of public access, coupled with a programme for improved public awareness of environmental issues and behaving responsibly.

- More centralisation of decision-making at a national level by Welsh Government.

- More decentralisation of decision-making to the community level. For example communities should have statutory rights to manage public land in their area.

- There should be more AONBs and a simpler process for setting them up and adopting management plans.

- Management and planning of the water environment and water resources is too focussed on 'end of pipe' regulations, and should address issues 'upstream', for example through catchment scale land management.

- Local authorities should have a statutory duty and targets for provision of urban green space. This area of their work tends to lose out to the provision of statutory services such as health and crime prevention, despite evidence which shows that access to quality urban green space helps reduce crime and improve public health.

- It is unfortunate that the consultation paper makes no reference to Tree Preservation Orders. TPO legislation is out of date and in need of reform.

- Improved legal protection is needed for the habitats of mobile species outside designated sites.

- The level of protection for some species (e.g. great crested newt) is disproportionate and is stifling development unnecessarily.

- There needs to be a quicker system for granting consent for environmentally damaging works which are necessary in the interests of public health and safety.

- There should be a statutory presumption against any loss of natural or cultural heritage.

- Any disposals of public land should be subject to Environmental Impact Assessment (EIA) and full consultation with local communities.

- There should be a power to enter land to investigate or control non-native species, and to obtain reimbursement of the cost from the landowner.

- Current loopholes in EIA legislation should be closed, for example relating to conversion of uncultivated land and clearance of land in anticipation of planning applications.

- The current plethora of organisations responsible for managing the marine environment and marine activities should be reduced and simplified.

- Amending the Habitats Regulations (e.g. in relation to the creation of the new single body) is also an opportunity to clarify and strengthen the role of Welsh Government in relation to marine Natura 2000 site management.

- Public bodies should generally intervening less in the management of land, either through regulation or subsidy.

- 'Plant-proofing' should be embedded in all planning and development control, in other words there should be a standing requirement to take into account the impact on plants.

- People should be able to challenge the misuse of environmental evidence in regulatory decisions.

# 5.    Other issues raised in the responses

Although many of the responses did not structure their responses around the consultation questions on page 30-31 of the paper, it has been possible to include the majority of respondents' comments in the question by question analysis in Section 4. However, 147 of the responses (53%) were recorded as including one or more comments which did not easily fit under any of the individual consultation questions. There were some predominant themes in these additional comments, together with a range of further points each raised by small number of respondents.

**Main themes**

*Intrinsic value of the environment*

One of the most common themes expressed in the responses related to the concept of the intrinsic value of the natural environment, and in particular of biodiversity. Just over a quarter of all respondents to the consultation expressed concern that the consultation paper presents an overly utilitarian view of the environment, in other words a portrayal of the natural environment as consisting of natural resources for human society to exploit, albeit wisely and sustainably. Many of these respondents drew attention to the fact that an approach based on ecosystem services is not the same as an approach based on ecosystems, pointing out that the definition of the ecosystem approach as set out under the Convention on Biological Diversity, explicitly recognises that biodiversity has intrinsic value, that is value and importance independent of any particular utility to humankind. Several also pointed out that previous Welsh Government strategies, including the Environment Strategy for Wales, have acknowledged the intrinsic value of the natural environment. Disappointment was expressed that the start of consultation paper appears to acknowledge the intrinsic value of the environment, but the concept is not developed any further in any of the proposals, which focus entirely on securing benefits to people from the use of natural resources.

A closely related view, expressed by similarly large numbers of responses, is that biodiversity itself is not an ecosystem service, rather it is the fabric of ecosystems themselves, on which all other ecosystem services ultimately depend. A significant proportion of those commenting in this issue expressed concerns about an over-emphasis on economic valuation of ecosystems, and the risk that species, habitats or abiotic ecosystem components to which monetary value cannot be ascribed, will be 'lost' if an essentially utilitarian approach is taken. Several suggested that it would be dangerous and misguided to 'relegate' biodiversity to an ecosystem service or asset that can be assigned a value and traded or even discarded.

Many of the comments appeared to equate 'intrinsic' with 'non-quantifiable' or 'intangible' rather than necessarily suggesting that ecosystems, habitats and species have importance 'in their own right'.

*Landscape*

A second common theme in the other issues raised was the view that the consultation paper fails to acknowledge the importance of 'landscape' (and seascape) as a way of understanding and valuing the environment, and as a basis for planning, management and regulation. It was argued that aesthetic appreciation, in all its forms, of the environment is one of the most, if not the most, important ecosystem service in Wales. Several suggested that the concept of a landscape is more understandable and meaningful to most people than 'ecosystem', but the two approaches are fundamentally compatible. More specifically, a number of responses pointed out that the UK, and therefore Wales, is a signatory to the European Landscape Convention, which could provide a model for taking forward many of the principles of the ecosystem approach.

A significant number also suggested that the major landscape designations in Wales – National Parks and AONBs – are broad enabling designations which provide a framework for an integrated approach to environmental and natural resource planning and regulation, and that they could provide useful models or pilots for the development of natural resource planning and the ecosystem approach.

*Historic environment*

The third major theme raised was a concern about the lack of acknowledgement in the consultation paper of the historic environment and the importance of Wales' historic heritage. It was argued by many that the natural environment of Wales is anything but 'natural', but is the product of millennia of human interaction with nature, and is therefore as much a historic heritage as a natural one. These respondents expressed disappointment at the lack of reference to the potential impact (both positive and negative) that policies relating to the natural environment might have on historic heritage, and to the need to integrate policies and legislation in these two areas. Several pointed out that the ecosystem approach itself recognises that humans with their cultural diversity are fundamentally part of ecosystems.

*Marine environment*

Many respondents were critical of what they believed to be insufficient attention paid to Wales' marine environment, considering its scale relative to the land area, the importance of the ecosystem services provided by the marine environment and the pressures that marine ecosystems and biodiversity are under. Many also said that the consultation paper presented an overly positive view of progress with the development of marine planning and the application of the ecosystem approach to management of the marine environment and marine resources.

*Geodiversity and the abiotic environment*

A significant number of respondents drew attention to the fact that the abiotic environment (geology, geomorphology and physical processes) underpins all ecosystems, and hence all ecosystem services. They expressed concern at the consultation paper's lack of reference to importance of the earth sciences to our understanding of ecosystems, and the critical role of geodiversity in the provision of

all ecosystem services. It was argued that adoption of an ecosystem approach would be impossible unless based on an understanding of the role of geodiversity and abiotic ecosystem processes.

*Precautionary principle*

Many responses highlighted the lack of any reference in the consultation paper to the precautionary principle, expressing concern if this implies a shift in Welsh Government policy away from the precautionary principle as being a core basis for environmental decision-making. Some acknowledged the references in the paper to the adoption of a risk based approaches, and questioned what this means in practice.

*Quality of the consultation paper*

Most responses commented only on the content of the consultation paper and the proposals in it, but about 10% of respondents also expressed views on the quality of the paper and the way in which the arguments were presented. Almost all of these were negative although there were a few positive responses. The main criticisms were that the paper is vague and confusing, making it difficult to respond meaningfully to the consultation questions, and concern that the Welsh Government's intentions are ambiguous and non-committal. Many of those who chose not to answer the consultation questions but provide 'free form' responses said that they did so because the questions did not capture the points they wished to make, one comment being that the questions closed down a lot of important issues raised in the body of the paper. Others said the paper contained too much jargon and technical terms to be accessible to non-specialists or the general public, that the paper was repetitive, and that its length was out of proportion to its substance.

*The 2010 Living Wales consultation*

A number of respondents referred to the responses they had submitted to the 2010 consultation, expressing an expectation that the Welsh Government will consider both sets of responses in taking forward the proposals in the consultation paper. As stated previously, all the responses to this consultation, to the 2010 Living Wales consultation and to the consultation on the proposed new single body, will be retained, and will be used to inform our work in taking forward the Living Wales programme.

**Other points raised**

A number of other comments were made by small numbers of respondents, which could not be easily captured in the analysis of responses to the consultation questions:

- We should reconnect and recreate a network of woodland areas across Wales. Wales has very low tree cover relative to other European countries and we should aim to double native tree cover. Woodlands are cost effect

way to enhance biodiversity and are major providers of ecosystem services.

- Sheep should be removed from a significant proportion of grazed land in order to enable recovery of more natural habitats.

- The consultation paper gives scant attention to the urban environment, and the important relationship between urban and rural environments in terms of pressures on the environment and natural resources. Investing in urban green space would arguably do more to achieve overall environmental, economic and social objectives than investing in rural areas and refreshing systems which are essentially about planning and managing the countryside.

- Much higher priority should be given to stabilising the human population and then preferably reducing it, which is the key to sustainability. We need an honest debate about this, and also about what material standards of living it is reasonable to expect given that natural resources are finite.

- The Welsh Government should do more to promote eco-living, eco-housing and sustainable consumption patterns.

- There should be improved allotment provision.

- Wales should have a wild lands policy that recognises the importance of wild lands and the ecosystem services they provide, and develop legislation and tools to protect and enhance wild lands, including considering the re-introduction of wild land species.

## Annex1: List of organisations which responded to the consultation

Anglesey County Council

Association of Chief Police Officers

Association of Local Government Archaeologists

Association of Local Government Ecologists

BASC

Bat Conservation Trust

Brecon Beacons Local Access Forum

Brecon Beacons National Park Authority

Bridgend CBC

British Geological Society

British Lichen Society

British Ports Association

British Waterways

BSW Timber

Cambrian Mountains Society

Campaign for National Parks

Canoe Wales National White Water Centre

Capital Region Tourism

Cardiff County Council

Carmarthenshire LBAP

Celtic Energy

Centre for Ecology and Hydrology

Ceredigion Bridleways Group

Ceredigion County Council

City and County of Swansea

CLA Wales

Clwydian Range and Dee Valley AONB

Coal Authority

Coed Cadw

Coed Cymru

Cofnod

Confederation of UK Coal Producers

ConFor

Consumer Council for Water

Countryside Alliance Wales

Countryside Council for Wales

CPRW

Denbighshire County Council

Design Commission for Wales

DLP Planning

Dwr Cymru

Dyfed Archaeological Trust

Dyfi Biosphere

Energy UK

Environment Agency Wales

Environment Systems

Farmers Union of Wales

Field Studies Council

Flintshire County Council

Flood Risk Management Wales Committee

Forest Schools Swansea NPT

Forest Valuations

Friends of Pembrokeshire National Park

Geo Conservation UK

Geologists Association

Glamorgan Gwent Archaeological Trust

Gower AONB

Green Flag Wales Steering Group

Gwent Wildlife Trust

Horizon Nuclear Power

Institute for Archaeologists

Institute of Chartered Foresters

Institute of Civil Engineers

Institute of Historic Building Conservation

JNCC

Landmarc Support Services Ltd

Landscape Institute

Llais y Goedwig

Lleyn AONB

Marine Conservation Society

Meat Promotion Wales

Mineral Products Association

Ministry of Defence

Murco Petroleum limited

NAAONB

National Farmers' Union National Grid

National Museums and Galleries of Wales

National Parks Wales

National Trust for Wales

NATUR

Neath Port Talbot Borough Council

Newport City Council

North East Wales Biodiversity Network

North East Wales RIGS Group

Pembrokeshire Coast National Park

Pembrokeshire Coastal Forum

Pembrokeshire County Council

Pembrokeshire Marine SAC

PLANED

Planning Officer's Society Wales

Plantlife Cymru

Pond Conservation

PONT

Pontypool Park Estate Office

Powys Flora Conservation

Public Health Wales

Radnorshire Wildlife Trust

Real World Learning Cymru Partnership

Renewable UK

Royal Town Planning Institute

RSPB Cymru

Scottish Geodiversity Forum

Scottish Natural Heritage

Scottish Power Renewables

Severn Estuary Partnership

SEWBReC

Snowdonia Society

South Hook LNG Terminal Company Ltd

Sustrans Cymru

The British Mountaineering Council

The Deer Initiative Ltd

The Geological Society

The Land Trust

The National Federation of Fisherman's Organisations

The Open Spaces Society

The Royal Yachting Association

The Urban Ecosystem Group

The Vincent Wildlife Trust

The Wildlife Trust of South and West Wales

Torfaen County Borough Council

Town and Country Planning Association

Unison Cymru

UPM Tilhill

Vale of Glamorgan LAF

Valero Energy Ltd

Valleys 2 Coast Housing

Valleys Regional Park

Wales Activity Tourism Organisation

Wales Biodiversity Partnership

Wales Coastal & Maritime Partnership

Wales Environment Link

Wales Tourism Alliance

Wales Upland Forum

Wales Young Farmers Club

Welsh Ornithological Society

Welsh RIGS Groups

West Coast Energy Ltd

West Wales Biodiversity Information Centre

Wildland Network

Wildlife Trusts Wales

WLGA

Wood Panel Industries Federations

Woodland Strategy Advisory Panel

Woodlands for Learning Forum

WWF Cymru

Wye Valley AONB

YHAs

There were also responses from 131 members of the public.

## Annex 2: Additional information about the consultation

The consultation was publicly launched by the Minister for Environment and Sustainable Development at Tata Steelworks in Port Talbot on 30th January 2012. A Welsh Government press release was issued.

The consultation document was made available on the Welsh Government website, along with papers providing a narrative and definitions for the Natural Environment Framework.

Consultees were given the opportunity to respond using an online response form, or by submitting a written reply by email or by letter. The consultation paper advised that responses submitted to the previous *Living Wales* consultation in 2010 would be taken into account and did not need to be re-submitted.

To raise awareness about the consultation and encourage responses, Welsh Government officials gave presentations to a number of public and organisational meetings, including the following:

| Date: | Presentation to: |
|---|---|
| 02/02/2012 | British Lichen Society (BLS) |
| 09/02/2012 | CONFOR event on Sustaining a Living Wales and Single Body |
| 09/02/2012 | Milford Haven Industry Technical Committee, Milford Haven |
| 16/02/2012 | Wildlife Trust Wales |
| 19/02/2012 | Environment Agency Fisheries and Biodiversity workshop, Warwick University |
| 20/02/2012 | FCW Management Forum, WG Office, Aberystwyth |
| 21/02/2012 | CCW Council Members |
| 21/02/2012 | CLA North Wales Committee |
| 28/02/2012 | Natur Aberystwyth (EAW perspective on the opportunities of SB) |
| 07/03/2012 | Wales Association of Tourism Operators Conference, Liberty Stadium, Swansea |
| 09/03/2012 | Llais y Goedwig Annual Conference |
| 19/03/2012 | NFU Policy Committee |
| 21/03/2012 | Woodland Strategy Advisory Panel |
| 21/03/2012 | Wales Coastal & Maritime Partnership |
| 22/03/2012 | Plaid Bro Ingli (www.ecocymru.org) |
| 27/03/2012 | Marine Ecosystem Group Meeting |
| 27/03/2012 | National Trust Wales |
| 29/03/2012 | Milford Haven Port Authority |
| 29/03/2012 | Swansea Local Service Board |

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|---|---|
| 29/03/2012 | Undergraduate Seminar on SLW Aberystwyth |
| 03/04/2012 | Neath Port Talbot Local Service Board |
| 13/04/2012 | National Access Forum for Wales (NAFW) |
| 17/04/2012 | RSPB |
| 23/04/2012 | Pembrokeshire Coastal Forum |
| 23/04/2012 | Historic Environment Group (CADW) |
| 25/04/2012 | Mid Wales for protected landscapes group |
| 25/04/2012 | FEI Country Steering Group and Woodlands for Learning Forum |
| 27/04/2012 | Welsh Wildlife Crime Enforcement Group |
| end April '12 | Institute of Environmental Management & Assessment (IEMA) |
| 02/05/2012 | Town and Country Planning Association |
| 02/05/2012 | Renewables UK Cymru |
| 09/05/2012 | Merthyr Tydfil County Borough Council |
| 15/05/2012 | Planet Health Cymru Board |
| 15/05/2012 | Severn Estuary Partnership JAC |
| 16/05/2012 | Carmarthen Bay & Estuaries Relevant Authorities Group |
| 16/05/2012 | Cardiff County Council Countryside Forum |
| 17/05/2012 | Planning Officers' Society |
| 30/05/2012 | RTPI Annual Conference |