# Consultation Response Form

**WG Number: WG48598**

Welsh Government

Consultation response form

Consultation on Securing a Sustainable Future: Environmental Principles, Governance and Biodiversity targets for a Greener Wales

Date of issue: 30 January 2024

Action required: Responses by 30 April 2024

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Mae’r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh

Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

## Overview

This White Paper sets out proposals for a Bill to cover three key areas and invites views from interested parties:

1. Embedding environmental principles into Welsh law;
2. Environmental Governance, including the establishment of an environmental governance body for Wales; and
3. A statutory targets framework to protect and restore biodiversity in Wales

### How to respond

Please respond by completing the online form or completing this questionnaire and sending it to: [environmental.governance@gov.wales](mailto:environmental.governance@gov.wales)

If you intend to respond in writing, please send completed forms to:

Land, Nature and Forestry

Climate Change Division

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

### Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

| Data Protection |
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| The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g., a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government’s standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.  In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.  You should also be aware of our responsibilities under Freedom of Information legislation.  If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years. |

| Confidentiality |
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| Responses to consultations may be made public on the internet or in a report.  **If you would prefer your response to remain anonymous, please tick here**: |

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| **Name** |  | |
| **Are you responding as an individual or as an organisation?** | Individual |  |
| Organisation |  |
| **Please give the name of the organisation you are responding on behalf of (if applicable)** |  |  |
| **Are you or your organisation based in Wales?** | Yes |  |
| No |  |
| **Email address** |  | |
| **Post Code** |  | |

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| **If responding on behalf of an organisation, please indicate which of these bests represent your organisation (please select only one)** | Umbrella organisation |  |
| Public Sector |  |
| Individual business |  |
| Third Sector/ Charity |  |
| Trade Union/Representative |  |
| Research/Academia |  |
| Individual |  |
| Other |  |

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| **Do you or your organisation have a specific involvement in any of the primary sector fields (please select all that apply)?** | Agriculture |  |
| Fishing |  |
| Forestry |  |
| Mining & Minerals |  |
| Water |  |
| Gas & Electricity |  |

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| **Do you or your organisation have a specific involvement in any of the emissions sectors (please select all that apply)?** | Energy and Heat Generation |  |
| Transport |  |
| Residential Buildings |  |
| Industry and Business |  |
| Agriculture |  |
| Forestry and Land Use |  |
| Waste Management |  |
| Public Sector |  |
| None of the above/not applicable |  |

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| **Does your organisation have a specific focus on any of the following (please select all that apply)?** | Skills |  |
| Health |  |
| Sustainability |  |
| Poverty alleviation |  |
| Age (e.g., youth, older people) |  |
| Disability |  |
| Gender reassignment |  |
| Marriage and civil partnerships |  |
| Pregnancy and maternity |  |
| Race |  |
| Religion or belief |  |
| Sexual orientation |  |
| Welsh language |  |
| None of the above/not applicable |  |

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| **If you are responding as an individual, do you identify as Welsh speaking?** | Yes |  |
| No |  |

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| **If you responding as an individual, what age bracket are you in?** | Under 18 |  |
| 18-34 |  |
| 35-49 |  |
| 50-64 |  |
| 65+ |  |

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# Questions

**Part A – Environmental Principles**

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| * **EP1: To what extent do you agree or disagree with the proposals relating to the preparation of guidance that will explain how the environmental principles are intended to be interpreted?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **EP2: The Welsh Government proposes to place a duty on Welsh Ministers to have due regard to the environmental principles and accompanying guidance during the development of their policies and legislation. To what extent to you agree or disagree with this approach.** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **EP3: Do you have any views on whether a separate duty should be placed on Welsh public bodies (other than the Welsh Ministers) to apply the principles and accompanying guidance? If you consider the duty should apply to Welsh public bodies, please set out in the text box below which Welsh public bodies and why, as well as any views you have on how the duty should apply to those bodies.** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **EP4: Do you have any additional comments relating to the Welsh Government’s intention to embed the environmental principles and overarching objective into Welsh law that are not captured in your answers to the above questions?** |
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**Part B Establishing an Environmental Governance Body for Wales**

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| * **GB1 - To what extent do you agree or disagree with the proposed purpose and objectives for the new Welsh environmental governance body?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB2: To what extent do you agree or disagree with the governance body’s proposed strategy and reporting requirements?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB3: We propose that the remit of the governance body should apply to the Welsh Ministers and the relevant Welsh public authorities exercising environmental functions Wales listed in Annex 2. To what extent do you agree or disagree with this?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB4: Are there any other public authorities, or private bodies exercising functions of a public nature, that you think should be added to (or removed from) the list in Annex 2? Please use the text box below to explain your answer.** |

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| * **GB5: To what extent do you agree or disagree with the proposed scope and role for the governance body in relation to monitoring and reporting, including the scrutiny of statutory targets?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB6: To what extent do you agree or disagree with the proposed scope and role of the governance body’s advisory functions?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB7: To what extent do you agree or disagree with the suggested approach for managing complaints and representations** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB8: To what extent do you agree or disagree with the proposals to enable the body to investigate?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB9: To what extent do you agree or disagree with the Welsh Government’s proposed process for formally handling non-compliance through compliance notices and court or tribunal procedures?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB10: To what extent do you agree or disagree with the Welsh Government’s proposal to include improvement reports / plans as an enforcement stage to provide space for resolution where systemic issues are evident, and a compliance notice is not considered the optimal mechanism to address the issue.** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB11: To what extent do you agree or disagree with the proposal for the governance body to, by exception, be able to apply for judicial review and / or intervene in civil proceedings** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB12: The Welsh Government consider financial penalties would be an ineffective and, in some cases, counterproductive method by which to remedy the non-compliance of Welsh public authorities with environmental law. To what extent do you agree or disagree with this position?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB13: Our preferred model for the governance body is a ‘Commission’, but consider alternative models, such as an arms-length body, could provide similar benefits. To what extent do you agree or disagree with this approach?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB14: To what extent do you agree or disagree with the Welsh Government’s approach in respect of appointing members and allocating resources to the governance body?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **GB15: Are there any other views you would like to provide in relation to our proposals to set up a governance body?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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**Part C: Targets for the Protection and Restoration of Biodiversity**

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| * **BT1: To what extent do you agree or disagree with the inclusion within the Bill of the Wales Nature Recovery Framework proposed in the paper?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT2: To what extent do you agree or disagree with the inclusion within the Bill of the statutory nature positive headline target: ‘*to reverse the decline in biodiversity with an improvement in the status of species and ecosystems by 2030 and their clear recovery by 2050’.*** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT3: To what extent do you agree or disagree with the proposal to include a duty that the Welsh Ministers must set statutory biodiversity targets in secondary legislation?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| **BT4: Potential suite of supporting targets, to underpin the headline target, are likely to be:**   * **Species – distribution abundance and extinction risk;** * **Habitat – protection, management and restoration; and** * **Ecosystem health and resilience – recognising the key role and contribution of ecosystems**   **To what extent do you agree or disagree with the key areas proposed for the biodiversity targets to be introduced in secondary legislation in the Wales Nature Recovery Framework?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT5: To what extent do you agree or disagree that Natural Resources Wales reports on the biodiversity targets as part of the State of Natural Resources Report?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT6. To what extent do you agree or disagree that Welsh Ministers publish a statement, before the Senedd, to report whether the statutory biodiversity targets have been met by the date specified in regulation?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT7. To what extent do you agree or disagree with the proposal that Welsh Ministers be required to produce a statutory long term Wales Nature Recovery Strategy, outlining the approach to delivery of the statutory targets as well as the Welsh Government’s response to the Global Biodiversity Framework?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT8. To what extent do you agree or disagree that the Wales Nature Recovery Action Plan sets out a detailed programme of work required to deliver the statutory biodiversity targets?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT9. To what extent do you agree or disagree that there should be a duty on public authorities which requires them to contribute to the delivery of the statutory biodiversity targets?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT10. To what extent do you agree or disagree that named public authorities should produce a Local Nature Recovery Action Plan to outline local action and priorities for delivery of the statutory biodiversity targets?** | | | | |
| Strongly Agree | Agree | Neither Agree nor Disagree | Disagree | Strongly Disagree |
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If you would like to explain your answer, please use the text box below.

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| * **BT11. Please indicate whether you would prefer the duties proposed in this section to apply to:** | |
|  | Please indicate preference |
| 1. List of Welsh public authorities has been included at Annex 2 |  |
| 1. The shorter list of Welsh public authorities included at Annex 6 |  |

If you would like to explain your answer, please use the text box below.

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| **Are there any other views you would like to provide in relation to the proposals in this White paper?** |
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