

Concerns and recommendations from the third sector on the role of Natural Resources Wales in achieving sustainable management of natural resources

Concerns over the direction and performance of Natural Resources Wales (NRW) have been well documented since its inception in 2013¹. However, Wales needs a strong, independent and well-resourced statutory body in order to play its role in nature's recovery (as set out in NRW's Vital Nature) and enabling access to nature. This paper is to offer support for NRW's role and how third sector organisations can work in partnership to assist in delivering a more sustainable future for Wales.

We note that there have been year-on-year cuts to NRW's budget from Welsh Government since its inception. We believe this impacts on NRW's capacity and ability to fully and effectively deliver its objectives and statutory requirements, especially at a time when those obligations (legal and policy) to maintain and restore biodiversity and ecosystems have increased under the Wellbeing of Future Generations Act and the Environment Act. The impact of budget cuts on the natural environment are exacerbated as they fall disproportionately on NRW's nature conservation, access and landscape duties and responsibilities, as other areas of the NRW budget are "ring-fenced", e.g. flood defence, forestry and permitting, etc.

Biodiversity

The facts on nature's decline are overwhelming. In their first State of Natural Resources Report (SoNaRR), NRW identified that no ecosystem in Wales is resilient and that our habitats are degraded. The State of Nature Report 2016 produced a raft of alarming statistics on the loss of species across the UK and provided a further breakdown of the picture in Wales.

The Intergovernmental Panel for Biodiversity and Ecosystem Services (IPBES) has issued the first global biodiversity assessment report since 2005. It highlights that we are on the brink of a rapid acceleration of the global rate of species loss and that the threat and challenges that these losses pose are on a par with climate change². The latest WWF Living Planet Index shows a 60% decline in wildlife populations in just over 40 years³.

Despite all this evidence the NRW budget has continued to be reduced and there hasn't been any significant investment in nature's recovery in Wales. Whilst NRW and environmental NGOs have been asked to engage in continued process of policy development, this has not yet translated into taking significant action to recover nature and address the drivers of biodiversity loss.

NRW's statutory duty is to pursue sustainable management of natural resources (SMNR) in relation to Wales and apply the principles of SMNR. It is critical that we now form major new partnerships to combine resources to tackle this global issue. Neither NRW nor Welsh Government can reverse the loss of nature alone. Both organisations are going to be critical in building partnerships and enabling significant

¹ The Environment and Sustainability Committee held scrutiny sessions for Natural Resources Wales in 2015 where many organisations expressed major concerns about NRW's ability to tackle the biodiversity crisis.

<http://www.senedd.assembly.wales/ielssueDetails.aspx?lId=5910&Opt=3>

² <https://www.ipbes.net/news/ipbes-global-assessment-preview>

³ https://wwf.panda.org/knowledge_hub/all_publications/living_planet_report_2018/

investment, research and resources to drive the scale and pace of change required for nature's recovery. However, NRW does have a very specific role to play to achieve SMNR, and it will need to prioritise and succeed in the following areas for which they are the competent body, or which they have a significant role in:

1. regulating, monitoring and enforcing environmental legislation, including objecting to inappropriate planning applications;
2. managing the public estate to support species recovery and maximise biodiversity gain and securing appropriate management to bring Wales' designated sites into favourable condition/favourable conservation status;
3. applying nature-based solutions to problems such as flood management;
4. increasing their nature conservation and landscape expertise; and
5. championing biodiversity research and monitoring

To date, this is either not happening or there aren't sufficient resources, resulting in concerns from the eNGO community. Of particular concern are:

- the majority of designated sites, such as our Sites of Special Scientific Interest (SSSIs) and National Nature Reserves, are not in favourable conservation status. There remains a lack of investment, which is urgently required, to achieve favourable conservation status and implement the necessary monitoring.
- NRW has powers to enter into land management agreements to help manage these sites and to investigate and stop many of the activities that cause sites to be in unfavourable condition, but they need to be resourced to do this.
- NRW's SSSIs budget was only £1.8m in 2013 and has been further reduced to £1.6m.
- NRW's specialist environmental advice and expertise is being lost, with cuts appearing to disproportionately fall on roles such as conservation officers, land agents, fisheries enforcement officers and wardens, coupled with a loss of specialists (habitats and species) at an all-Wales level. We are concerned that the few remaining biodiversity/conservation experts within NRW will be responsible for increasingly large workloads, (including managing the NNRs and facilitating Section 16 agreements) leaving them unable to deliver NRW's statutory responsibilities and wider biodiversity goals.
- Lack of monitoring and enforcement on serious issues such as agricultural pollution. NRW has chaired a group on water pollution with some stakeholders to examine these issues. However, resources are needed to also be able to investigate and, if appropriate, instigate a new enforcement scheme similar to the Scottish system of general binding rules.

Landscape

NRW has a major role in championing protected landscapes at a national level in Wales, therefore it is essential that NRW has adequate resources and commitment to continue to protect and enhance designated landscapes and to promote their statutory purposes.

Third sector organisations want to work with NRW. To enable this there needs to be the right structures, resources and specialist expertise at a senior level to ensure that the organisation is able to:

- promote a landscape scale approach to nature conservation and enhancement and natural resource management;

- support designated landscapes in an integrated way across the organisation;
- devote adequate staff time and resources to both landscapes and seascapes;
- monitor and enforce the statutory requirements relating to designated landscapes, such as the S62 duty to have regard to National Park purposes;
- provide a dedicated team and ensure the right expertise is in place to support designated landscapes; and
- realise the full potential of designated landscapes to contribute to other Welsh Government objectives such as health and well-being.

Planning

NRW's role in protecting our natural resources from inappropriate development is critical but there has been increasing concern that internal policies are hampering NRW's ability to achieve this.

The proliferation of intensive farming units across Wales is of note, as many applications fall just below the threshold requiring a permit and therefore do not undergo any scrutiny as to their environmental impacts in terms of air and water pollution. Cumulative impacts from these and other types of developments are having a detrimental impact on the environment of rural Wales and NRW should be enabled to investigate and tackle this issue.

Access to nature and the countryside

Investment in access to the countryside is of concern, with reductions in funding from both NRW and local authorities increasingly apparent. This has negative impacts on path maintenance, Rights of Way Plans, countryside interpretation and information centres, mapping and education about access to the countryside.

Provision of access support by eNGOs is increasing, however there have been cases where NRW isn't working effectively with third parties, including volunteers. An example given by Ramblers Cymru is of a volunteer group undertaking path maintenance who were asked by NRW to sign a detailed legal agreement which sets out how they must operate and which appears to set binding requirements on them to maintain the path. This new obligation, encompassing volunteer work which has been ongoing for 40 years, insists on prior written permission to perform an annual survey, then further written permission to go back and undertake any work. The local authority and community council do not take this bureaucratic approach, allowing the volunteers to liaise and act more informally.

Whilst we understand that NRW must ensure that groups undertaking maintenance on their land are operating safely and do not cause damage, we feel that the nature of these agreements is heavy-handed and unnecessarily burdensome for a group of volunteers. At a time when resources are scarce, the work of volunteers like these must be encouraged and supported.

Stakeholder engagement and communication

Many third sector organisations report deteriorating stakeholder engagement opportunities with NRW. There is an understanding that the organisation is undergoing a restructure, which is making engagement, and finding the right contacts within the organisation, more difficult. However, third sector organisations need to be reassured that NRW sees them as legitimate stakeholders and partners. In particular, third sector organisations would like to see opportunities:

- to be involved in the development of grant programmes;
- to work in partnership with NRW to implement the Environment (Wales) Act, such as contributing to Area Statements at a strategic level and the development of SoNaRR;
- getting involved with more projects on the ground to maintain and enhance designated sites and landscapes, and public access; and
- to have the opportunity to engage with NRW at a strategic policy level.

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