

## [A transformed regulatory approach to natural resource management? Welsh Government seeks views.](#)

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On 21 June, the Welsh Government launched a consultation: [Taking Forward Wales Sustainable Management of Natural Resources](#), which proposes substantial changes to a number of environmental management frameworks. This comes at a time when environmental stakeholders are eagerly awaiting the Welsh Government's [Natural Resource Policy](#) (NRP), which has missed the statutory deadline of 31 March under the *Environment (Wales) Act 2016*. The NRP is expected to set out the Welsh Government's priorities for the sustainable management of natural resources. This raises the question– how does this new consultation, that was unexpected by many, fit with the NRP?

The Welsh Government is seeking views on 56 proposals covering a wide range of policy areas including forestry, designated landscapes, access to the outdoors including the coast and inland waters, marine and fisheries, water, waste, land management, agriculture and control of snares. The consultation is expected to help inform whether new Welsh legislation is required.



The stated overarching aim of the proposed reforms is to deliver a regulatory framework that improves the [sustainable management of natural resources](#). The *Environment (Wales) Act 2016* defines the sustainable management of natural resources as using natural resources in a way, and at a rate, that maintains and enhances the resilience of ecosystems and the benefits they provide. This approach seeks to help achieve the 7 well-being goals set out in the *Well-being of Future Generations (Wales) Act 2015*.



The consultation is being considered in the context of the findings of Natural Resources Wales's (NRW) inaugural [State of Natural Resources Report \(SoNaRR\)](#). This assessment, published September 2016, highlights that no habitat in Wales is fully resilient and that the full value of natural resources and ecosystems is not being adequately taken into consideration in decision-making.

With Brexit on the horizon, the Cabinet Secretary for Environment and Rural Affairs states in her forward to the consultation that reform of the current regulatory framework is necessary to ensure Wales is equipped for the challenges it will face and opportunities going forward. However, with a significant amount of legislation predicted to come to the Assembly as the Brexit process commences, will there be capacity and appetite for the additional proposed legislative changes set out in this consultation? Furthermore how will resource any new powers?

## Proposals

The proposals are wide ranging, with many aiming to align current legislation and policies with the concept of the sustainable management of natural resources.

Some examples of the legislative changes and policy proposals include:

- **Nature-based solutions** – developing and managing Wales's forests and floodplains to reduce the adverse effects of severe rainfall, planting trees to improve air quality and green roofs for insulation. The delivery of these solutions is explored in the consultation with market-based mechanisms suggested, including [Payments for Ecosystem Services \(PES\)](#);
- **Forestry** – extending NRW's power to delegate its functions for the management of forests to others (e.g. local communities). New methods of regulating felling licences and also new protections for ancient and veteran trees are proposed;
- **Designated Landscapes** – establishing a formal relationship between the special qualities of a designated area– such as biodiversity or cultural heritage– and any new partnerships, powers and policies. It proposes a community-led approach to the designation of areas;
- **Marine and Fisheries** – giving the Welsh Ministers new powers to produce regional marine plans by amending the *Marine and Coastal Access Act 2009*. Introduction of



an aquaculture licensing regime. Extension of the Registration of Buyers and Sellers scheme to shellfish;

- **Access to the outdoors (countryside, inland waterways and coasts)** – improving the amenity value by increasing the range of activities and areas that can be accessed. Extending NRW's powers around access to inland waters. Requirement for local authorities and National Park authorities to develop integrated access plans. Development of a statutory code for access;
- **Water** – on abstraction, to amend the existing licensing regime to establish a fair and common basis for all abstractors and bring it under the Environmental Permitting Regulation framework; and
- **Waste** – giving new powers to local authorities to serve fixed penalty notices on householders who fail to comply with waste rules, rather than prosecution through the courts.

The consultation closes on 13 September 2017. It is likely that many stakeholders will be asking how the outcomes of this consultation will relate to the imminent Wales National Marine Plan and the NRP, the existing Nature Recovery Plan, NRW's future development of Area Statements, the recently published [Future Landscapes: Delivering for Wales](#) review, and many other policies, plans and powers.

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