



# **The Review of Designated Landscapes in Wales – The Written Evidence of Natural Resources Wales**

## **Introduction**

Natural Resources Wales (NRW) welcomes the opportunity to make a submission to the Review Panel. The timing of the Review will enable the future role and purpose of Designated Landscapes and their authorities to be considered within the context of Welsh Government's new suite of generational legislative change.

As the principal advisor to Government on the environment in Wales, our purpose is to ensure that the environment and natural resources of Wales are sustainably maintained, sustainably used and sustainably enhanced, now and in the future.

Natural Resources Wales has a number of powers, duties and functions in relation to advising on the management and governance of Designated Landscapes in Wales. These are summarised in Annex 1.

## **Designated Landscapes**

The Designated Landscapes form part of a national framework within the UK and Welsh systems of legislation, governance and reporting. They also sit within the wider context of the World Conservation Union (IUCN) international system of Protected Areas and the European Landscape Convention (ELC).

The Welsh Designated Landscapes have an international status, through recognition by the IUCN as Category V Protected Areas as living, working landscapes (see Annex 2). The Designated Landscapes are part of this international system of Protected Areas which includes for example Special Areas of Conservation and Biosphere Reserves. There are also non-statutory landscape designations such as Heritage Coasts and Special Landscape Areas that recognise locally or regionally important landscapes.

The Designated Landscapes of Wales, National Parks and Areas of Outstanding Natural Beauty (AONBs) are acknowledged as landscapes of national significance and are important national assets, covering 25% of Wales, where 5.2% of the population live<sup>1</sup> and many thousands more work. More than three-quarters of people living in Wales visit the Welsh National Parks at least once every year<sup>2</sup> and these areas provide significant recreational opportunities being located adjacent to populated areas.

The Designated Landscapes represent an important environmental, economic and social resource for the nation, and an internationally recognised global brand for Wales. The

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<sup>1</sup> UK Census 2011 & The Value of AONB Partnerships, LUC, 2013

<sup>2</sup> National Parks Survey, RMG Clarity, 2012

Welsh National Parks alone are visited by some 12 million people, generating over one billion pounds for the Welsh economy each year<sup>3</sup>.

The existing system of designated landscapes was designed and organised to meet the contemporary challenges of the post World War II period in response to public demand for greater opportunities to access and enjoy the countryside. For the past sixty-five years the current Designated Landscape system has evolved over time and served us well. However NRW supports the need to take stock of, and review, the Designated Landscape system to ensure that it is fit for purpose:

- to help address current and future environmental, economic and social challenges and;
- deliver agreed outcomes within the emerging legislative and policy framework in Wales.

The desired outcomes to current and future challenges are expressed as goals through the Well-being of Future Generations Bill as:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language.

The current Review needs to consider how best to design and organise a Designated Landscape system to provide a stronger framework to meet these goals within a very different set of current and future challenges relating to, for example:

- Climate Change
- Halting biodiversity loss
- Energy security, efficiency and affordability
- Resource Efficiency
- An ageing population
- Public sector reform and reduction in public expenditure

The consequences of not responding to these urgent challenges are likely to be detrimental to the economic, social and environmental well-being of current and future generations of people in Wales.

The outcome from this Review will need to ensure that Designated Landscapes and their authorities are in a position to address and meet these challenges within the context of the generational changes set out in the Well-being of Future Generations, Planning (Wales) and Environment Bills, and the Wales National Marine Plan. The Environment Bill, for example, provides a new legislative framework for integrated natural resource management. There is a clear opportunity for the Designated Landscapes and their authorities to evolve so that they can continue to develop as exemplars of sustainable land and water management, working with land managers to tackle these challenges, including halting biodiversity loss. The Well-being of Future Generations Bill allocates National Park and Local Authorities with identified roles on the Public Service Boards for the

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<sup>3</sup> Valuing Wales' National Parks, WLGA, Natural Resources Wales & National Parks Wales, ARUP, 2013

improvement of well-being providing scope to integrate their functions with solutions to economic, social as well as environmental well being.

## **Are designated landscapes equipped to meet the current and future needs of Wales?**

Natural Resources Wales believes that Designated Landscapes and their authorities should continue to have a strategic role to help meet the current and future needs of Wales. The Review provides an opportunity to discuss what their role and contribution should be and how they should be organised to discharge this role.

We propose that the Designated Landscapes authorities, together with National Resources Wales, can help provide leadership nationally and locally to demonstrate how a systemic approach to transforming how we design and deliver services can improve economic, social and environmental resilience, and resulting benefits across 25% of the land area of Wales.

Critical to achieving this will be the National Park and Local Authorities identified roles on the Public Service Boards for the improvement of well-being; and the role we expect Designated Landscapes authorities, working with partners, to play in delivering the expected provisions of the Environment Bill with respect to integrated natural resource management. NRW has already provided draft guidance on embedding the ecosystem approach into the Designated Landscapes management plans.

Within Designated Landscapes there are already good examples of innovation and the Designated Landscapes authorities can provide leadership on the behavioural change needed at a national and local level. Clearly part of this role must be the better sharing of learning and best practice both within and wider than the Designated Landscape system.

The links between what Welsh Government expects from Designated Landscape authorities and the implementation of the well-being agenda are clearly articulated in the Well-being of Future Generations Bill and in the (draft) Policy Statement Taking the Long View. NRW reiterates our proposal that the proposed Environment Bill provides an excellent opportunity for Designated Landscapes authorities, given their management planning, engagement and governance processes, to lead and co-ordinate on the delivery of natural resource management in their areas.

The s62 Environment Act 1995 / s85 2000 CROW Act duties to have regard to the purposes of Designated Landscapes, also provide an opportunity for the Designated Landscapes authorities to engage with sectors such as the utilities / statutory undertakers and other public bodies. This presents Designated Landscape authorities with a unique opportunity to provide leadership and work in collaboration with these sectors in taking forward natural resource management. Natural Resources Wales therefore recommends that a national reporting process be introduced to the s85/62 duty and that this is integrated with the annual report of the Future Generations Commissioner.

## Purpose

In order to achieve these aspirations NRW suggests that consideration should be given to amending the purposes of Designated Landscapes and their authorities, to reflect the modern agenda so that the sustainable use of the environment and natural resources has a central role for the Designated Landscapes authorities in Wales in delivering their functions, duties and powers. Subject to legal advice, consideration should be given to modernising the purposes of Designated Landscapes and their authorities along the lines of:

The aims in relation to an area are:

- (a) to conserve and enhance the natural beauty and cultural heritage of the area;
- (b) to promote the sustainable use of the natural resources of the area;
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public;
- (d) to promote sustainable economic and social development of the area's communities.

The term natural beauty is widely used across legislation. It forms the legal basis for the National Park and AONB designations in Wales. Prior to NRW, the legacy body Countryside Council for Wales had undertaken work resulting in a published statement on natural beauty. Due to the complexities around technical and legal nature of the term natural beauty, NRW would welcome an opportunity for further discussion in the Evidence Sessions, on the merits and challenges of retaining this legal term.

## Should there be a single designation of protected landscapes in Wales?

There is an urgent need to implement rapid change to address the issues facing Wales and we suggest that the Designated Landscapes and their Authorities should be supported as early adopters and champions for this new approach to both natural resource management and public service delivery via Public Service Boards. Using their experimental powers and working with land managers in their areas, and through demonstrating innovation and sharing best practice, the Designated Landscapes Authorities are well placed to deliver leadership on the behaviour change necessary to support the systemic change required.

NRW recommends that only when this delivery mechanism has been tested and rejected, would it then be appropriate to consider whether a single type of designation is necessary to achieve the goals outlined in the Well-being of Future Generations and the Environment Bills. NRW believes that revising the purposes of the Designated Landscape authorities and better use of existing powers, tools and mechanisms, will be a more effective solution, than a single type of designation, the practical implications of which could draw significant time and substantial resources away from addressing the economic, social and environmental challenges identified above.

NRW will use our statutory role to provide a framework for closer collaboration between the Designated Landscape authorities and other partners, making use of existing powers,

including s62/s85, to reduce any unnecessary duplication. Part of this work would be to bring together learning and best practice from the NRW natural resource management pilots and the shared experience of the Designated Landscapes authorities and look at how this can be disseminated beyond their boundaries. This would chime well with the roles identified for National Park and Local Authorities as part of Public Service Boards and the implementation of national policy at a local scale.

Welsh Government's performance monitoring confirms that the National Park Authorities are performing on an equal or above average basis than other Local Planning Authorities across Wales. This presents a unique opportunity for National Park Authorities to test and demonstrate how the planning system can integrate and support the delivery of natural resource management. This would fit well with their role as early adopters and our aspirations to see the Designated Landscape authorities develop action on early intervention and prevention roles. This approach would then need to be reviewed to assess progress on delivering natural resource management through a variety of mechanisms, including the planning system.

Given the opportunities provided by refreshing the scope of these existing mechanisms, any discussion relating to existing or new types of designation can only be considered when there is experience of implementing natural resource management nationally and locally, and then examining the evidence to identify any change that may be needed. It would then be appropriate to consider as part of any wider review encompassing all types of designations, to ensure they remain fit for purpose.

The Bills set out in the Government's legislative programme will need to be framed so as to provide scope and opportunity to support whatever approach is deemed to best deliver across a range of environmental, social and economic challenges now, and in the future. These challenges are likely to be huge and we should learn from other countries and be open to consider whether substantive and significant change is required.

## Conclusion

In conclusion NRW believes this Review to be timely to consider the future contribution of Wales' nationally important landscapes to:

- demonstrate how the Designated Landscape and their authorities, covering 25% of the land area of Wales and working with others can support systemic change needed to meet current and future challenges;
- work with NRW to provide leadership in testing and delivering natural resource management, and through Public Service Boards, support delivery of the well-being agenda;
- consider the scope of the role and delivery mechanisms, including the Designated Landscape purposes that will be required to enable the delivery of natural resources management.

In order to address the challenges identified, there is a need to provide leadership on behaviour change and developing and implementing natural resource management and delivery through the planning system. Therefore we feel that at this juncture a single type

of designation would be a distraction from this urgent task and that modernising the Designated Landscapes purposes would be a more effective and efficient solution.

**Natural Resources Wales**

30<sup>th</sup> October 2014

## **Annex 1: Summary of Natural Resources Wales' landscape duties, powers and functions**

NRW has a number of powers, functions, and duties in relation to natural beauty in Wales including:

- Duty to conserve and enhance natural beauty and amenity of the countryside.
- Power to designate new National Park or Areas of Outstanding Natural Beauty (AONB) or vary an existing boundary, subject to the legal process and confirmation by Welsh Government of any Designation Order made by NRW.
- Duty to advise Ministers and other relevant authorities on development matters in National Parks and AONBs including Local Development Plans, where any observations we have must legally be taken into consideration.
- Duty to keep matters under review in the countryside in relation to natural beauty.
- Duty to advise Ministers, as required, on governance arrangements including appointment of new chief executive officers, and new National Park Authority Member Welsh Government appointments.
- Duty to advise Ministers as required on financial matters in relation to National Parks and their Strategic Grant Letter.
- NRW is a statutory consultee on National Park and AONB Management Plans and their Local Development Plans (both CCW & EAW were previously statutory consultees).
- Duty on NRW to have regard to the purposes of National Parks (s62 duty) and AONBs (s85 duty) when undertaking decisions affecting these areas.

## **Annex 2: IUCN Protected Area definition, management categories and governance types**

IUCN defines a protected area as:

A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystems services and cultural values.

Category V Protected landscapes or seascape:

Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.