

Natural Resources Wales

Board Meeting

9 July 2013

Paper Title	Terms of Responsibility - Protected Areas Committee
Paper Reference:	Paper NRW B (O) 17.13
Paper Sponsored By: Paper Authored By:	Morgan Parry Clive Thomas

Purpose of Paper:	To propose Terms of Responsibility reflecting a wider advisory role and name for the Committee to which formal responsibility for considering representations against the notification and de-notification of SSSIs has been delegated
Recommendation:	To agree the proposal

Impact:	Impact on the Environment: Protected areas have played a key role in environmental protection for many years and will continue to do so. Impact on the Economy: Our protected areas are a huge economic asset and help to contribute significantly to local and national level enterprise Impact on People and Communities: Many communities live in protected areas and these communities and others derive significant levels of social and economic capital from these areas Impact on Knowledge: Our protected areas are the parts of Wales we have the longest-term datasets and understand best. This knowledge can make a significant contribution to wider natural resource management
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Issue

1. The Board has agreed to delegate to a Committee its responsibility pursuant to Section 28 of the Wildlife and Countryside Act 1981 to consider any representations or objections duly made in respect of any notification (including enlargements and additions) or de-notification of a Site of Special Scientific Interest.
2. The Board agreed membership and remitted to the Chair and the Head of Governance the task of proposing Terms of Responsibility for the work of the Committee. The Committee is recommending Terms of Responsibility that reflect a wider supporting role and a Committee name to the Board.

Rationale and Background

3. As well as designating SSSIs, we have a range of other powers and duties with regard to protected areas. The exercise of these powers and duties will mainly be led by the Executive team as the SSSI function is the only one that requires us to establish a Board committee. However a number of these other 'Protected Areas' issues will require the full Board to discuss and approve high-level strategies, designations and advice. By broadening the role of the Committee intended to deal with the statutory SSSI issues, the Board and Executive would have an established mechanism to which consideration of these issues could be remitted.
4. Our primary purpose is "to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and into the future". Protected areas cover the 30%+ of Wales' natural resources that are most within our control, either through our ownership, our management agreements, our statutory functions, our legal enforcement powers or our partnership agreements.
5. Additionally, the Remit letter requires us to "meet European and domestic statutory obligations... and take forward the ecosystem approach." Priority issues include "supporting jobs and businesses.....including tourism" and "access and recreation....the countryside and the coast". The most valuable areas for the economy of Wales are the protected areas.
6. Protected areas are essential core components of the Ecosystem approach, as set out in the Living Wales Green Paper 2012 which stated "our present environmental regulations, designations and controls have successfully conserved Wales' highest quality landscapes and transformed the quality of our urban environments and our rivers and lakes. The Green Paper reaffirmed the Convention on Biological Diversity's definition of the ecosystem approach, adding that it provides "a framework within which the relationship of protected

areas to the wider landscape and seascape can be understood and the goods and services flowing from ecosystems can be valued."

7. Whilst acknowledging that "appropriate protection for habitat and species will remain a fundamental building block of any new approach" the Green Paper proposes streamlining current designations to "deliver better environmental enhancement, tackle increasing pressures and support multiple outcomes in a dynamic environment."
8. Commitment to introduce the ecosystem approach raise questions about the role of protected areas: they are "core areas" for migration and as reservoirs of genetic resilience but greater consideration of the social-economic benefit may require a new purpose. The Board will need to be fully engaged with leading the thinking on that new purpose and may wish to remit task and finish work to a Committee.
9. Finally, using our knowledge about protected areas will support our aim to be an evidence-based knowledge/learning organisation. These are the parts of Wales' land and sea that we know most about, have invested the most scientific effort in, and are the places where we have the longest-term datasets. If we are to understand climate change, human/nature interactions and economic value of natural resources, these are our starting points.

Proposal

10. Based on analysis of this background and context, as well as the generic Board Groups responsibilities and ways of working, the Board is asked to approve the following Terms of Responsibility for the Committee:
 - fulfil the delegation as a statutory Committee to deal with our responsibilities pursuant to the notification and de-notification of SSSIs;
 - formally adopt established procedures and processes for dealing with this responsibility, based on alignment to the legislation and subsequent caselaw;
 - support the Executive and Board by providing advice on wider protected area issues and strategic casework;
 - support the Executive and Board by providing a focal point for Board discussions on matters relating to protected areas including their role in mainstreaming the ecosystem approach;
 - be known as the Protected Areas Committee

Risks

11. There are no additional risks associated with this proposal

Financial Implications

12. There will be some modest cash costs associated with organising meetings of both a statutory and advisory Committee

Legal and Compliance Issues

13. There are no additional legal and compliance issues associated with this proposal

Communications

14. The work of this Committee will be confirmed in the Board Handbook and communicated via the website

Equality impact assessment (EqIA)

Not applicable

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Annex 1 – Examples of 'Protected Area' issues