



Natural Resources Wales Board Meeting 19 March 2013

Paper Title	Permitting Publication Scheme
Paper Reference:	Paper 6 (03/13)
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Purpose of Paper:	For the Board to consider and approve the Permitting Publication Scheme
Decision Required:	For the Board to ratify the approach presented
Impact:	The Permitting Publication Scheme as a component of the overarching NRW Publication Scheme meets the requirement for Natural Resources Wales to develop, adopt and review the information it holds and makes available to the public about permit applications and permitting decisions. The scheme itself does not have direct impact on decisions that would affect the environment, economy, community and knowledge but it does set the framework by which we seek views and comments on permit applications and how we make information on permitting decisions available.

Issue

1. The Natural Resources Body for Wales (Functions) Order 2013 sets a new requirement for Natural Resources Wales to develop, adopt and review the information it holds and makes publically available in relation to applications for permits and permitting decisions including those which the organisation makes in relation to itself or 'self permitting'. This requirement will be incorporated into the overarching Publication Scheme required of Natural Resources Wales under the Freedom of Information Act.

Summary

2. **Annex 1** sets out an interim approach for meeting Natural Resources Wales' obligations and sets out how it will go about improving our approach in the first

six months. It is anticipated that the improvements would be project managed by the Transition Team.

Background

3. All Public Bodies are required to maintain and publish a Publication Scheme that outlines the classes of information that they routinely make available. Natural Resources Wales will be adopting the Information Commissioners model publication scheme for 1 April and the current approaches by the legacy bodies are already well aligned to this model and each other.
4. The new requirement to make information available publically in relation to applications for permits and permitting decisions will be incorporated into the broader requirement under the Freedom of Information Act.
5. Approval for the Permitting Publication Scheme is required from Welsh Ministers before it can be made available on the Natural Resources Wales website. This interim approach has been discussed with Welsh Government policy officials and the Draft Scheme has been submitted in parallel with consideration by the Board. Indications are that the interim approach is considered reasonable for 1 April.
6. The requirement to notify Welsh Ministers of permit applications made by the body to itself at the time it makes the application can be undertaken using existing systems. It is thought that self-permit applications are in the order of 700 annually with the majority for species licensing and protected site consents and assents. Currently Water Quality Branch in Welsh Government are notified of relevant applications. It is agreed that the Sponsorship Team in DES become the receiving Branch going forward.

Next Steps

7. Improvements to the approach would be developed over the next six months incorporating a public consultation and further approval by Welsh Ministers. An approach to providing information to the public on self-permitting will be developed as part of this process.

Risks

8. If Welsh Ministers (or their policy officials) do not approve the interim approach Natural Resources Wales will need to rapidly address their reasons provided for not doing so in order to have an agreed approach available to the public as soon possible after vesting day.

Financial Implications

9. The approach presented in **annex 1** does not have any significant resource implications. The (Information Commissioner's) Publication Scheme sets out other types of information that Natural Resources Wales makes routinely available. The approach to charging for providing information is the same for both schemes. Improvements to the approach will be considered, costed and taken forward by the Transition Team.

Communications

10. The permitting task team have been fully involved in the preparation of the interim approach.
11. The Permitting Publication Scheme must be published on the Natural Resources Wales' website and copies be made available on request.
12. There should be the ability to provide copies in other formats on request (such as large font size or another language).
13. Improvements to the approach, including the requirement to 'consult with persons it considers appropriate', will be taken forward and managed by the Transition Team.

Annex 1: The Permitting Publication Scheme