

ROCP 53, Interim Environmental Protection Assessor

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Adolygiad o flaenoriaethau'r Pwyllgor ar gyfer y Chweched Senedd | Review of the Committee's priorities for the Sixth Senedd

Ymateb gan Asesydd interim Diogelu'r Amgylchedd Cymru | Evidence from Interim Environmental Protection Assessor

Your views

1. What are your views on the Committee's three strategic priorities: Climate Change; Sustainable Communities; and Protecting and enhancing the natural environment?

The role of the Interim Environmental Protection Assessor for Wales (IEPAW) is to consider concerns raised by the public about the functioning of environmental law in Wales. The functioning of environmental law may mean considering whether:

- the law is fit for purpose or still relevant;
- the information or explanatory material on the law is accessible, clear and certain; or
- the practical implementation of the law is effective.

Submissions from the public sent to the IEPAW so far have mainly concerned tree protection, biodiversity, water pollution, hedgerows, wildlife protection, protected sites, Environmental Impact Assessments, the interaction between planning and environmental law, air pollution and polychlorinated biphenyl (PCB) contamination. Areas that have been identified as falling within the scope of the IEPAW and for which reports are being developed primarily cover the natural environment. It is therefore the view of the IEPAW that the Committee's strategic priority relating to protecting and enhancing the natural environment is appropriate. Although she hasn't generally received submissions within Priorities 1 and 2 those seem to be important areas to focus on too.

2. To what extent are the Committee's three strategic priorities still relevant, reflecting on social, economic and environmental developments since they were set at the start of the Sixth Senedd?

The emphasis of the IEPAW is on the appropriate functioning of environmental law and the extent to which it delivers environmental protections. As noted above, submissions to the IEPAW suggest protecting and enhancing the natural environment remains relevant to submitters from the general public. Research conducted in support of reports being developed by the IEPAW on the functioning of environmental law due to the areas identified in these submissions corroborates this position.

3. What are your view on the Committee's detailed priorities/outline programme of work for Years 3 to 5 of the Sixth Senedd (set out in its report, Priorities for the Sixth Senedd?)

Digital Strategy

Following Calls for Evidence by the IEPAW during the development of several reports, the issue of environmental monitoring, the use of digital tools and accessibility to data has been noted in different contexts. It would also allow for more effective assessment of activity to evidence the functioning of environmental law.

Tree Planting

IEPAW is close to completing its report into Forestry in Wales with reference to Felling licenses, Tree Preservation Orders and Planning Regulations. It has received evidence during the development of the report from a range of bodies. Whilst the committee prioritises tree planting, the protection of existing trees is equally important. The Committee may wish to give consideration to issues beyond planting that impact the maintenance and protection of trees in Wales.

IEPAW also notes the Committee's recognition of shortcomings in guidance around trees and woodlands. Improving guidance to facilitate and inform the operation of law around trees is an appropriate and necessary ambition however the Committee might consider extending the scope to include the full life cycle of trees.

Statutory Biodiversity Targets

As noted above, concerns about biodiversity loss have been recognised in submissions made to the IEPAW. As a result the IEPAW is developing a report on protected sites and has issued a call for evidence, amongst other points, on

“should there be targets on the quality and connectivity of protected sites? If so, what should the targets cover?”

The priority of the Committee to tackle biodiversity loss, is important. The IEPAW takes the view that these are appropriate priorities.

Environmental Governance

The Welsh Government has committed to bring forward legislation during this Senedd term to establish an environmental governance body for Wales. It has stated that the Bill will contain biodiversity targets and nature restoration targets as well as post-EU environmental governance arrangements.

The IEPAW is clearly very interested in the development of the permanent approach to environmental governance in Wales. It is therefore felt this is an important priority for the committee to consider.

Water Quality, drainage and water pollution are issues that have been raised in numerous forums IEPAW has participated in recently. The complexity and challenges of addressing the issues faced by regulatory bodies and companies responsible for the management and delivery of services has been highlighted. In addition, the impact of housing development and demand management have also been raised during discussions. IEPAW is currently reviewing issues raised in these forums as well as submissions on water pollution from these and agricultural sources. It is therefore the view that water issues are appropriate priorities for the Committee to consider.

4. To what extent are the Committee’s detailed priorities/outline programme of work still relevant, reflecting on social, economic and environmental developments since they were set at the start of the Sixth Senedd?

The IEPAW’s submission is based on evidence received during Calls for Evidence, Stakeholder Meetings and discussions with appropriate stakeholders during the course of the last year. The response to 3 above details the ways in which it views the relevance of the priorities of the Committee in that time and the ambitions it has set for the future.

5. Are there any other matters related to the Committee’s priorities/work programme/ways of working that you would like to comment on?

An issue which is consistently raised in submissions made to the IEPAW is capacity to undertake and resources allocated towards implementing environmental law. Resourcing issues are outside the scope of the IEPAW for

consideration but the Committee may wish to consider this and the impact that a lack of resource may have on environmental protection in Wales.

6. Other information

No response.
