

National Assembly for Wales
Environment and Sustainability Committee
WFG 46
Well-being of Future Generations (Wales) Bill
Response from Alliance for National Parks Cymru



SUBMISSION TO THE ENVIRONMENT & SUSTAINABILITY COMMITTEE

CONSULTATION ON THE WELL-BEING OF FUTURE GENERATIONS BILL

1. The Alliance for National Park Wales's ¹ principle interest lies in securing a sustainable future for Wales' National Parks and Areas of Outstanding Natural Beauty [Protected Landscapes]. Accordingly it welcomes the opportunity to submit evidence to the Committee as it considers that elements of the "Well-Being of Future Generations Bill", which is currently before the Assembly are of direct relevance to our interests.

Introduction

2. Whilst the Alliance is supportive of the thrust of the Bill, it considers that there needs to be amendments to reflect the importance of:
 - a. Ensuring that a sustainable approach to living in Wales occurs within environmental limits
 - b. Wales' landscapes and seascapes to the nation and the well-being of its people, especially those areas recognised for their national importance [National Parks and Areas of Outstanding Natural Beauty]

To achieve a. above the following Clauses of the Bill need to be amended:

- a. CL 3 relating to the Sustainable Development principle
- b. CL 6 table 1 relating to the Well-being goal for a "resilient Wales"
- c. CL 8 [2] relating to the scope of Well-being objectives

To achieve b. above the following Clauses of the Bill need to be amended:

¹ The Alliance for National Parks Cymru has recently been established to defend and promote the interest of Protected Landscapes in Wales. The founder members of the Alliance are the three National Park Societies, the Campaign for the Protection of Rural Wales and the National Association for Areas of Outstanding Natural Beauty. Other organisations with an interest in the future of our Protected Landscapes are also involved in the Alliance.

- a. CL 27 [2] relating to the membership of Public Service Boards
- b. CL 37 relating to the focus and scope of Well-being plans

Background

3. Protected Landscapes [PLs] cover 25% of Wales. They are areas recognised nationally for their outstanding natural beauty and for the opportunities they afford for recreation. They are places where people live and work and they provide a wide and varied range of high quality services which enhance the well-being of the people of Wales and visitors from away. Indeed, much of the economy of these areas depends on the conservation and enjoyment of their natural beauty and special qualities. They have significance beyond their boundaries because they are the icons of the Welsh tourism industry, arguably the most important of all the reasons why visitors are attracted to Wales. Moreover, as has been recognised by the Chief Medical Officer for Wales, the opportunity they provide for outdoor exercise and recreation contributes positively to the Welsh Government's health agenda.
4. For many years these areas have had special arrangements to ensure that their natural beauty and special qualities are carefully conserved for future generations, in particular through the establishment of single purpose National Park Authorities and AONB Partnerships and, importantly, their role in preparing and implementing the statutory Development and Management plans, in collaboration with other stakeholders. Furthermore PLs have long been regarded as areas where there is a particular opportunity to demonstrate Sustainable Development in practical ways which reflect the especially sensitive environmental circumstances which prevail in these areas.
5. These current arrangements in Protected Landscapes are under scrutiny by the Government, which is about to:
 - a. Embark upon an independent review of their governance. Although we are not yet aware of the Terms of Reference of this Inquiry, it is clear from Welsh Government statements that they will cover the consideration of such matters as their Purposes and their Aims / Objectives. We might therefore anticipate in the light of its findings that new legislation could follow.
 - b. Publish a new Policy statement outlining the future role of NPs and AONBs in delivering the Welsh Government's evolving sustainability agenda and ecosystems approach, and in particular how the framework for PLs fits with the ambitions of the Well-being Bill.
 - c. Embark on a process of natural resource planning on a Wales wide basis through the implementation of the provisions of Environment Bill, which will have direct implications for PLs [themselves being important nationally natural resource areas].
6. In making its submission, the Alliance is, therefore, concerned to ensure that the Well-being Bill should build upon and enhances the existing arrangements which prevail for PLs in Wales. It is concerned that it should provide the necessary framework for those Authorities responsible for them, not only to achieve the "Well-being" of their areas, but also of the Well-being of the whole population of Wales, in particular to fulfil the wider role they play in respect of the Welsh

Government's economic and health agendas. Given this context, the principle questions that the Alliance expects the Well-being of Future Generations (Wales) Bill to address are :

- a. How the integrity of the nationally important resources in National Parks and AONBs will be reflected in the various definitions embedded in the Bill?
 - b. How well the provisions of the Bill interact with the existing legislative framework associated with the Protected Landscapes of Wales?
 - c. How the outcomes of any Governance Review would link with the provisions of this and any other new associated legislation?
7. One of the main issues facing PLs in Wales that the Alliance expects to be subject of particular consideration in the forthcoming Governance Review is the way in which the socio-economic well-being of local communities will be facilitated within PLs – an issue at the heart of sustainable development. Through the Governance review, the Alliance will be looking for the following matters to be clearly linked with and articulated in any new primary legislation:
- a. A clearer role is defined for NPAs and AONB Partnerships to promote the socio-economic well-being of their area and to continue to play their part in the Wales wide Welsh Government agendas within the environmental limits which are defined by both the retention of their special qualities and their national significance
 - b. A specific responsibility for all public bodies in exercising their duties should do so in ways which respect and hence do not diminish a PL's special qualities nor exceed their environmental limits
 - c. The management plan for each PL is the recognised vehicle by which specific policies are formulated to manage the area – policies that promote not only the conservation and enjoyment of the special qualities of these areas but also the socio-economic well-being of their resident communities in ways which respect and do not diminish the PLs special qualities nor exceed their environmental limits
 - d. The statutory management plan for each PL is a collaborative statement of commitment prepared jointly by the respective NPA and AONB Partnership and all relevant public bodies, who would in turn all sign up to the ambitions and anticipated outcomes of the plan, indicate how they would implement it through their own work and report regularly on how they have performed in achieving its objectives
 - e. The establishment in each PL of an inclusive stakeholder Advisory group [which is wider than merely public bodies] to advise it on socio-economic matters thereby ensuring that there is effective community and stakeholder participation in the formulation and implementation of the refined Management Plan
8. In the parlance of the proposed provisions of the "Well-being" Bill, for each PL there should be:
- a. A comprehensive "Well-being assessment" [aka an enhanced "State of the Park/AONB report"]
 - b. An Overarching "Well-being Plan" to guide the promotion of the future well-being of the area and the communities within this area in ways which directly protect and enhance

the resilience of those special qualities which define the national importance of these designated areas [aka the NP/AONB Management plan]

All these expectations, we contend, must be undertaken in the context of :

- a clear definition of sustainable development that recognises that it is the means towards sustainability and not an end in itself. That being the case any activities, if they are to be sustainable, must operate within defined environmental limits
 - “Well-being” goals and objectives which are set at a national level to guide the sustainable future for these nationally important resources.
9. The Alliance believes that the Well-being Bill coupled with the outcomes of the Governance Review present a major opportunity to provide a refreshed framework for ensuring the economic and social vibrancy of PLs whilst retaining their nationally important status and the resilience of those special qualities, which underpin their environmental importance. Accordingly the Alliance sets out below the parts of the Bill which could, with modification, make a significant contribution to the framework within which PLs are looked after in Wales in the future.

Recommendations

10. The principle areas of the Bill which the Alliance consider to be crucial to the future of Wales’ PLs are:

- a. **The scope of the defining purposes of NPs and AONBs and their cross relationship with the “Common aim” and the “SD Principle” of the Bill.** We note with concern the key omissions from the Bill being:
 - the absence of the concept of environmental limits within the definition of Sustainable Development, despite this having been recognised in recent years by the Welsh Government as a crucial element of this approach. This we consider to be crucial a crucial omission when a system is proposed where Ministers, Local authorities, NPAs and public bodies will all be required to establish well-being objectives which integrate with each other effectively [see also b and c below]. **To address this omission we recommend that Clause 3 of the Bill is replaced by the following:**
“..development which, within defined environmental limits, secures social economic and environmental benefit in ways which do not compromise the integrity of any of these elements or aspirations nor of future generations to meet their own needs”.
 - the absence of any reference in the anticipated suite of Well-being goals to landscapes and seascapes let alone PLs. **To address this omission we recommend that the section relating to “A Resilient Wales” in the table in Clause 6 is amended to read:**
“A rich and diverse natural and cultural environment, where the range and integrity of healthy and functioning ecosystems are maintained within

accepted environmental limits and remain able to meet future social and economic needs in a responsible manner.”

- b. The practical means by which the relationship between the statutory role of NPAs and AONB partnerships and the proposed well-being duty expected of all public bodies will be achieved.**

The Bill fails to explain how NPAs and those with responsibility for AONB will be expected to ensure they fulfil their existing specific statutory duties whilst at the same time be expected to report upon their effectiveness in implementing other well-being objectives covering wider issues [socio-economic] which are not in their control. This expectation becomes even more difficult to address if these outcomes are to be achieved in the absence of any prescribed recognition of the concept of sustainability being fulfilled within the realms of agreed environmental limits. **To address this issue we recommend a new subparagraph to Clause 6 to the effect that “Where the promotion of one aspect of well-being as contained in the Common Aim or otherwise in pursuance of a specific Well-being goal, results in an irreconcilable conflict with the need to maintain the integrity of the Goal relating to a “Resilient Wales”, the latter would take precedence.”**

- c. The relationship between NP and AONB Objectives and the well-being objectives which other of government and public bodies articulate generally in their adopted respective Well-being Objectives.**

Ministers and Public bodies [including NPAs and the LAs in AONB partnerships] will all set well-being objectives. We recognise the scope and potential this could create for conflicting objectives. Once again we highlight the fact that there is no recognised mechanism in the Bill for reconciling these differences especially if it is acknowledged that the concept of sustainability is not achievable if an activity is not carried out within accepted environmental limits. We are also unclear as to whether any Ministerial Well-being objectives will effectively trump all others. **To address this issue we would recommend that an additional criterion is added to Clause 8 to the effect that:**

“The body’s objectives would avoid impacting on the integrity of the special qualities of any area designated because of its international or national landscape or seascape importance”.

- d. The relationship of National Park Authorities to Public Service Boards**

Given that the co-ordination and integration of activities within PLs is undertaken by NPAs and AONB Partnerships and that these organisations are particularly well placed to promote sustainable approaches to resource use and the public management in their areas [25 % of Wales, the Alliance is concerned that the Bill does not recognise the crucial role of these organisational arrangements in achieving well-being both of their own communities and for the whole population of Wales. In particular the Alliance is concerned that National Park Authorities and AONB Partnerships are not given a place by right on the PSB [s] for their

area. AONB Partnerships should be properly represented through their local authority[s]. **To address this issue we recommend that Clause 27 [2] is amended to include National Park Authorities.**

e. The relationship between the role of NP and AONB Management plans in relation to the proposed “local Well-being plans” covering these same geographical areas

The “Well-being plans” proposed in the Bill will, we understand, relate to the jurisdiction of PSB areas [i.e. LA areas or combinations of them). In the case of those Authorities with NPs or AONBs within their boundaries, the scope and detail of these plans may not fit comfortably with the focus or priorities of PL plans which already exist and currently have sustainability at their core. We would advocate that the Bill should therefore recognise that, given their geographical extent [25 % of Wales], PL Plans [subject to certain refinements and modifications] should effectively be recognised as the Well-being plan for their area.

To achieve this we recommend that Clause 37 is amended:

- **to include a subparagraph to the effect that “A statutory plan for a National Park or an Area of Outstanding Natural Beauty [suitably expanded in scope] should be regarded as the Wellbeing Plan for that area.”**
- **to make it clear that “A Well-being Plan for any NP or AONB must give primacy to safeguarding and enhancing the integrity of any special quality which characterises these nationally designated areas.”**

11. To conclude, the Alliance considers that these amendments to the Bill would serve to provide a sound framework within which

- PLs continue and enhance the role they already play in spearheading Sustainable Development in Wales
- All public bodies fulfil their role within PLs in a sustainable manner which respects the special circumstances and environmental limits within which they must operate.

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