



Powys Branches
Campaign for the Protection of Rural Wales

Correspondence to:
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19/1/20

Area Statements at the Rhayader Mid-Wales Meeting on 15/1/20

attendees: Sarah Bond, Jonathan Colchester, Christine Hugh-Jones, Brett Kibble, Jill Kibble, Margaret Tregear

Dear Martin,

We are writing to you, following this meeting, about the forthcoming Mid-Wales Area Statement

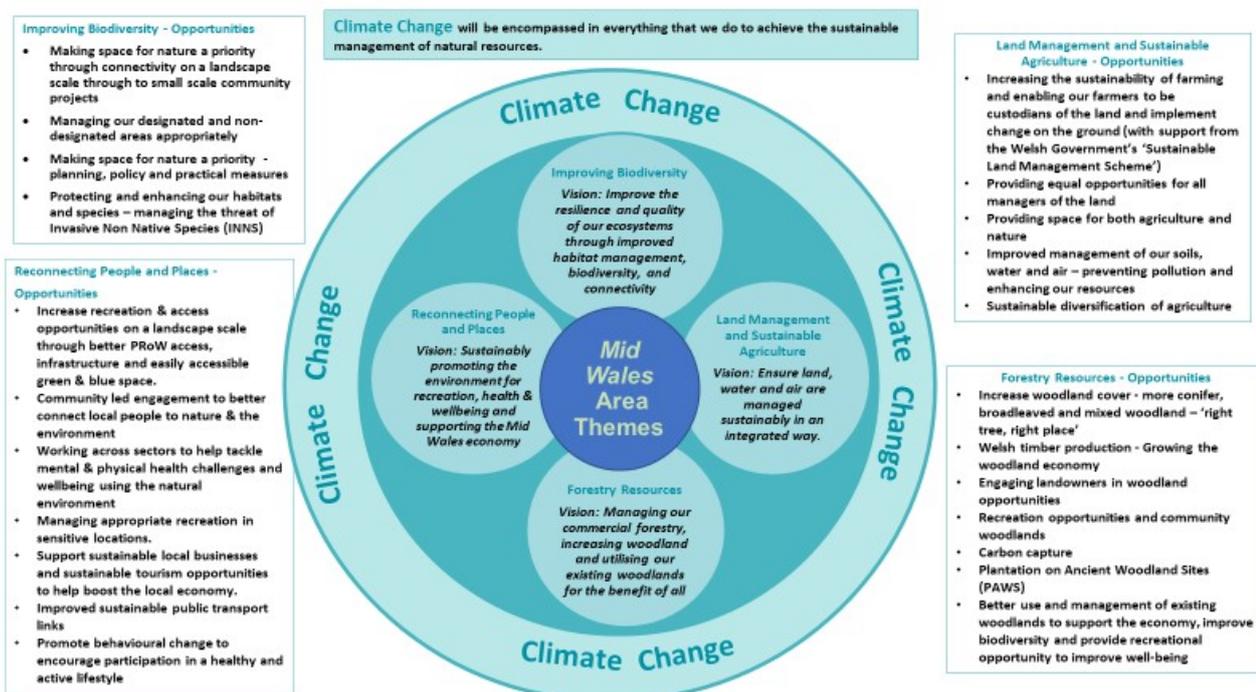
The first thing is a simple, immediate and urgent request about biodiversity.

1. BIODIVERSITY

We were introduced to the Area Statement graphic for Mid-Wales for the first time at this meeting. It was implied that Mid-Wales stakeholders “owned” the graphic, although we have not been consulted on it and only a handful of people had even seen it (on Facebook). We were given the impression that it had already been “signed off” by NRW and could not be changed. We fervently hope this is not so.

Apart from the title, this “bubble-graphic” – if we can call it that - contains nothing specific to our Mid-wales area. We suspect it will be used, perhaps with some modified bubbles, for all 6 land-based Area Statements and will take on a life of its own as an established NRW area policy, quoted and reproduced in every official document (much like the circle of Goals of the WBFGA).

Following the Environment (Wales) Act, we anticipated that Area Statements would be a major tool for determined action to protect and enhance biodiversity throughout Wales and so we are exceedingly unhappy about the representation of “biodiversity” in the bubble-graphic.



Sir David Henshaw as quoted by the BBC on 5/8/19 :

“The Climate Emergency declaration is a critical challenge to us all and should acknowledge the wider environmental emergency, particularly that of biodiversity loss”

The draft NDF says:

“The Welsh Government is committed to reversing the decline in biodiversity and increasing the resilience of our ecosystems.”

As underlined by Sir David Henshaw, we face a twin climate and biodiversity crisis. In the graphic, **Climate Change** is an over-riding umbrella concept, in large bold print X 4, and catches the eye. **Improving Biodiversity** is one of four inner bubbles - hard to read - and does not catch the eye.

Conceptually, the bubble-graphic is nonsensical. Biodiversity loss is a first order issue which encompasses Forestry, Land Management and Connecting people with places just as climate change does. The “vision” for **Improving Biodiversity** does not make sense either. You can’t “improve the resilience and quality of our ecosystems” through “improved biodiversity” because they are much the same thing: both are improved through “improved habitat management” & “improved connectivity”.

Of the four inner bubbles:

Reconnecting People and Places - opportunities	has 7 bullet points
Forestry Resources - opportunities	has 7 bullet points
Land Management and Sustainable Agriculture - opportunities	has 5 bullet points
Improving Biodiversity - opportunities	has 4 bullet points.

Our point is that **Biodiversity Decline/Loss** is an over-riding issue and must be put on a par with Climate Change as an umbrella man-made disaster which it is urgent to address. As another Sir David (Attenborough) reminded us all on the BBC News last week, if there is no biodiversity to sustain healthy soil, water and air, and provide pollination and food there will be no human society to survive Climate Change impacts.

Please revise the graphic so that CLIMATE CHANGE and BIODIVERSITY LOSS appear as equals alternating in the outer ring (2 or 3 times each, instead of four, if necessary to fit them in).

2. NRW PRESENTATION AT THE RHAYADER MID-WALES A.S. MEETING

Our other points are about the Meeting and Areas Statement process which we have followed from its inception in the Environment (Wales) Act. We have enquired in vain about progress many times.

The six representatives from CPRW Powys branches who attended the Mid Wales Area Statement meeting in Rhayader yesterday, were disappointed to be told we “owned” the “bubble graphic” and the long charts of points, compiled from the previous meeting in July, which were briefly shown on a screen much too small to read. The organisers did not seem to know that none of us had seen this material. While we do not doubt that NRW staff have worked hard to collate the various points made in July, we have had no chance to comment on whether the result in either the charts or the “bubble” graphic is a fair or comprehensive representation of the points we raised in July.

The participants were advised that NRW has been charged with producing Area Statements but these are an “iterative” collaborative effort between stakeholders, co-ordinated by NRW. It is for us to produce them in partnership with NRW. We were told we are in a “pregnancy”. NRW is the midwife and the helpless infant will be born in March. We will be all responsible for nourishing it and bringing it up. It will be constantly changing. The visiting arrangements for parents are unclear.

Comments from the Rhayader Meeting

From the questions asked and comments made, we believe we speak here for the extreme disappointment and confusion felt by most of the participants about the following:

- three years on, and after complete change of staff responsibilities in 2019, all the promised stake holder input amounts to is one local session in July and this week's session.
- complete lack of feedback since we wrote post-it notes in July (in July some meetings had laptops for comments and some didn't).
- lack of consultation on the final bubble-graphic and extended unreadable list of priorities.
- we were asked for more comments in Rhayader but had been unable to see the work so far.
- NRW has unilaterally decided whether our concerns as expressed in July are suitable for inclusion in an AS. For instance, excess ammonia emissions from a unique concentration of intensive poultry farms in Powys affecting biodiversity is apparently not deemed suitable.
- no clarity about the function of ASs, what they can achieve, what status they will have or how stakeholders will be able access them or contribute to them in the future.
- ASs were described as an ever-changing body of work but we could not understand how Planning Departments or other Statutory Agencies and decision makers can exercise their duties with respect to something that does not have fixed content or publication dates.
- no-one could answer how and by whom review and monitoring of the ASs will take place
- an NFU participant said she had attended AS meetings across Wales and they were all run very differently: this is cause for concern considering the purpose of the meetings was to maximise collection of stakeholder views of what was important in their area.
- the failure of the WG and NRW to synchronise the proposed NDF and new arrangements for sustainable farming, and to publish ASs before we have seen the forthcoming second SoNaRR report leaves general confusion.

What we thought we understood about Area Statements (see Appendix)

The Environment (Wales) Act says NRW has a duty to prepare Area Statements. They must prepare and publish these to facilitate the implementation of the National Natural Resources Policy. The Statements must contain an account of the natural resources, their benefits and the priorities, risks and opportunities for SMNR which need addressing, and they will say how NRW will do this and who will assist them. Welsh Ministers may direct public bodies to implement Area Statements and these bodies must comply. The draft NDF Policy 8 says more about Area Statements (see Appendix) mentioning a local scale evidence base and mapping with areas for action "at the right scale" and that any priorities for action will be material planning considerations. Draft Policy 8 says the WG and partners will identify areas which could be safeguarded as ecological networks.

From what we have seen so far we are at a complete loss to understand how any of this has been achieved in the generalities of the bubble-graphic or in the "brain-storming" all-purpose lists.

Also, we question how the nature and role of ASs as set down in Welsh Policy and Law can possibly be reconciled with a set of nebulous and "iterative" Area Statements.

We do fully appreciate that ASs were an innovative and supremely challenging task for NRW but surely the point reached now, after three years and just prior to publication, should have been the starting point for mapping and evidence gathering to arrive at the accounts that the ASs "must contain". If this evidence and these accounts exist, then we have not seen them or been consulted on them. If they don't, then the ASs are not yet fit for publication.

Having said this, we did very much welcome the opportunity to speak to so many friendly NRW staff in Rhayader and believe the Area Statement problems have been "institutional" rather than the fault of any particular person or area team. Powys Branches of CPRW look forward to cooperating further with NRW in protecting and enhancing our Mid Wales environment.

With best wishes from us all,

Brecon & Radnor Branch and Montgomery Branch of CPRW

Appendix

ENVIRONMENT (WALES) ACT 2016: AREA STATEMENTS

11 Area statements

- (1) NRW must prepare and publish statements (“area statements”) for the areas of Wales that it considers appropriate for the purpose of facilitating the implementation of the national natural resources policy.
- (2) NRW may use the area statements for any other purpose in the exercise of its functions
- (3) Each area statement must—
 - (a) explain why a statement has been prepared for the area, by reference to—
 - (i) the natural resources in the area,
 - (ii) the benefits which the natural resources provide, and
 - (iii) the priorities, risks and opportunities for the sustainable management of natural resources which need to be addressed;
 - (b) explain how the principles of sustainable management of natural resources have been applied in preparing the statement;
 - (c) state how NRW proposes to address the priorities, risks and opportunities, and how it proposes to apply the principles of sustainable management of natural resources in doing so;
 - (d) specify the public bodies which NRW considers may assist in addressing the priorities, risks and opportunities.
- (4) NRW must ensure that every part of Wales is included in at least one of the areas for which it prepares an area statement.
- (5) NRW must—
 - (a) take all reasonable steps to implement an area statement, and
 - (b) encourage others to take such steps.
- (6) NRW must keep area statements under review and it may revise them at any time.
- (7) Before publishing an area statement, NRW must consider whether—
 - (a) another plan, strategy or similar document should be incorporated into the area statement, or
 - (b) the area statement should be incorporated into another plan, strategy or similar document.

12 Welsh Ministers’ directions to implement area statements

- (1) The Welsh Ministers may direct a public body to take such steps as appear to them to be reasonably practicable to address the matters specified in an area statement under section 11(3).
- (2) Before giving a direction the Welsh Ministers must consult the public body they intend to direct.
- (3) Where a direction is given to a public body under this section, the body must comply with it.
- (4) A direction under this section may not require a public body to do something it may not otherwise do in the exercise of its functions.
- (5) A direction under this section—
 - (a) must be published;
 - (b) may be varied or revoked by a later direction;
 - (c) is enforceable by mandatory order on an application by, or on behalf of, the Welsh Ministers

13 Guidance about implementing area statements

- (1) In exercising its functions, a public body must have regard to any guidance given to it by the Welsh Ministers about steps that should be taken to address the matters specified in an area statement under section 11(3).
- (2) The Welsh Ministers must publish any guidance they give for the purposes of this section.

14 Duty of public bodies to provide information or other assistance to NRW

- (1) If NRW asks a public body to provide NRW with information which it requires for the purpose of exercising functions under section 8 or 11, the public body must provide the

information unless the public body is prohibited from providing it by virtue of an enactment or any other rule of law.

- (2) If NRW asks a public body to exercise its functions to provide NRW with other assistance which NRW requires for the purpose of exercising functions under section 8 or 11, the public body must provide the assistance unless the public body considers that doing so would—
 - (a) be incompatible with the public body's own duties, or
 - (b) otherwise have an adverse effect on the exercise of the public body's functions.
- (3) The duties of a public body in subsections (1) and (2) are also duties of the Future Generations Commissioner for Wales, but they only apply to the Commissioner if the information or other assistance is required for the production of a report under section 8 on the state of natural resources.

15 Duty of NRW to provide information or other assistance to public bodies

- (1) If a public body asks NRW to provide the public body with information which it requires for the purpose of implementing an area statement, NRW must provide the information unless NRW is prohibited from providing it by virtue of an enactment or any other rule of law.
- (2) If a public body asks NRW to exercise its functions to provide the public body with other assistance which the public body requires for the purpose of implementing an area statement, NRW must provide the assistance unless NRW considers that doing so would—
 - (a) be incompatible with NRW's own duties, or
 - (b) otherwise have an adverse effect on the exercise of NRW's functions.

draft NDF policy 8: AREA STATEMENTS

Policy 8 – Strategic framework for biodiversity enhancement and ecosystem resilience

To ensure the enhancement of biodiversity and the resilience of ecosystems, the Welsh Government and its key partners will identify:

- **areas which could be safeguarded as ecological networks for their potential importance for adaptation to climate change or other pressures, for habitat restoration or creation, or which provide key ecosystems services, to ensure they are not unduly compromised by future development; and**
- **opportunities where strategic green infrastructure could be maximised as part of development proposals, requiring the use of nature based solutions as a key mechanism for securing sustainable growth, ecological connectivity, social equality and public well-being.**

Strategic Green Infrastructure mapping

Natural Resources Wales have produced indicative maps to illustrate national biodiversity themes. They provide the starting point for considering enhancement as part of green infrastructure assessments and a means of ensuring that cumulative action is taken to secure enhancement through development proposals.

Area Statements will develop this approach by identifying key challenges and opportunities to strengthen ecological networks and ecosystem services. They will provide a local scale evidence base and mapping of key environmental themes, and will identify areas where taking action at the right scale can maximise benefits. Any priority areas for action identified in Area Statements are a material planning consideration, and development plans should set out appropriate policies to safeguard and connect these areas, and to protect and enhance their identified key ecological functions and features.