

# Environment (Wales) Act 2016

## Impact Assessments

This document contains the following impact assessment documents that have been completed in respect of the impact of the Environment (Wales) Act 2016, which received Royal Assent in March 2016.

The impact of the Environment (Wales) Bill was assessed prior to its introduction into the National Assembly for Wales on 11 May 2015. Details of the Bills passage through the Assembly can be accessed via their website.<sup>1</sup>

1. Equality Impact Assessment (EIA)
2. Child Rights Impact Assessment (CRIA)
3. Rural Proofing assessment
4. Welsh Language Impact Assessment (WLIA)

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<sup>1</sup> <http://www.senedd.assembly.wales/mg/IssueHistoryHome.aspx?IId=12572>

# Environment (Wales) Act 2016

## Equality Impact Assessment (EIA)

<b>Policy title and purpose (brief outline):</b>	<b>Environment (Wales) Act 2016</b> The purpose of the Environment (Wales) Act 2016 ("the Act") is to enable Wales' resources to be managed in a more proactive, sustainable and joined-up manner, it also sets out the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider work to help secure Wales' long term well-being, so that it benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.
<b>Department:</b>	<b>Department for Natural Resources</b>

### 1. Please provide a brief description of the policy/decision.

**For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?**

### Background

The 2011 Welsh Government's '*Programme for Government*' built on the 2010 '*A Living Wales: a new framework for our environment, countryside and seas*' consultation in setting out a number of commitments in relation to natural resource management, including the Environment Bill.

In 2012, the '*Sustaining a Living Wales*<sup>2</sup>' Green Paper set out proposals on the scope and opportunities for simplifying how we manage and regulate the environment to deliver better outcomes for the people of Wales. The central proposal in the Green Paper was to move towards an ecosystem approach and sought views on how natural resource management planning might be developed at local and national levels to enable better decision-making. The consultation responses to the Green Paper, like those to the 2010 consultation, showed strong support for a fresh approach to planning and managing natural resources in Wales. In 2013, the Welsh Government published a White Paper setting out proposals for an Environment (Wales) Bill<sup>3</sup> ('the Bill'). The White Paper set out a framework for better management of resources, focusing on Wales' natural resources and waste.

<sup>2</sup> In the green paper this was termed the 'ecosystem approach'. <http://www.cbd.int/ecosystem>

<sup>3</sup> Towards the Sustainable Management of Wales' Natural Resources: Consultation on proposals for an Environment Bill': <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

In doing so, it included specific proposals for a new area-based approach to integrate natural resource management at a local level, underpinned by the ecosystem approach and the United Nations' Convention on Biological Diversity (CBD) principles.

The development of the White Paper was one of a package of actions undertaken to enable more joined up and proactive management of Wales' natural resources. This included the establishment of Natural Resources Wales in 2013, drawing together three historically separate delivery bodies into a single, integrated natural resource body for Wales. Its creation helped to integrate the regulatory functions within one organisation, but the organisation remains bound by the weaknesses in the legislative framework, consisting of more than 230 pieces of statute. The White Paper proposals were therefore designed to address those weaknesses and enable further integration, as well as supporting the Government's wider objectives in relation to sustainable development.

### Sustainable Development

Our approach to natural resource management is underpinned by the Welsh Government's commitment to the principles of sustainable development. The Welsh Government's Programme for Government reinforces the importance of sustainable development's place as the central organising principle in defining the best development path for Wales and commits all policies and programmes to ensure that they reflect these principles. The relationship between our approach to natural resource management and sustainable development were explained in detail in the White Paper and aligns fully with the requirements of the Well-being of Future Generations (Wales) Act 2015<sup>4</sup>, by setting out the legal definition of sustainable natural resource management and embeds the principles of sustainable development in this definition. The interpretation and application of this definition of natural resource management, and therefore of sustainable development, fundamentally underpins and is at the centre of the Act.

Sustainable Development places an emphasis on social, economic and environmental wellbeing for people and communities, embodying our values of fairness and social justice. It looks to the longer term in the decisions we make now and in the future.

### **What is the overall objective of the policy?**

The overarching aims of the Act is to enable Wales' resources to be managed in a more proactive, sustainable and joined-up manner and to set out the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider work to help secure Wales's long term well-being, so that it benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

The Act makes provision to help plan and manage Wales' natural resources at a national and local level, through specific requirements for a State of Natural Resources Report (SoNaRR), a National Natural Resources Policy (NNRP) and area statements. The provisions will enable greater integration and simplification of policies, plans and programmes where this is consistent with statutory duties. The

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<sup>4</sup> <http://gov.wales/legislation/programme/assemblybills/future-generations/?lang=en>

Act provides Natural Resources Wales (NRW) with a general purpose duty that aligns fully with the statutory principles for the sustainable management of natural resources, and provides NRW with enhanced powers to enter into management agreements with land owners and establish experimental schemes in line with those principles. The Act also provides public authorities with a reshaped requirement to seek to maintain and enhance biodiversity.

The Act also includes provisions to tackle climate change, through statutory emission reduction targets and carbon budgeting to support their delivery. It includes provisions to improve the use of resources in relation to carrier bags and waste management. The sections on carrier bag charging provide greater flexibility for the Welsh Ministers to adapt to any emerging consumer trends or unintended consequences as a result of the scheme for single use carrier bags and those on waste provide the Welsh Ministers with powers to take action to achieve higher levels of recycling for business waste, food waste treatment and energy recovery. The Act also clarifies the law for a number of environmental regulatory regimes including marine licensing, shellfisheries management, land drainage and flood risk management.

### **What are the stated aims?**

In summary, these proposals will:

- Help us manage our resources effectively and in a more joined up way.
- Give NRW the tools they need to work more effectively.
- Focus on the needs and opportunities for different areas with the needs of communities at the heart of decisions we take.
- Provide a better quality of evidence on the capacity, opportunities and resilience of our natural resources for future generations.

### **How will it be achieved? What will the measure of success be?**

The connections between social justice, economic prosperity and the use of natural resources, for current and future generations have been recognised by identifying a set of shared outcomes and considering how they will be achieved. The Act is one component of the wider strategic policy approach to achieve these long term outcomes. It will focus on establishing a more effective and integrated approach to natural resource management and through this help to bring about significant improvements to our natural environment. It will enhance sustainable growth, supporting businesses and our economy.

No equality issues were identified in relation to the other parts of the Act. In most cases, previous equalities assessments have been undertaken, with the findings still current and applicable. All the relevant subordinate legislation under the Act will be subject to an engagement process and full detailed assessment. This would include an equality assessment in line with the requirements under the Well-being of Future Generations (Wales) Act 2015.

### **What is the timeframe?**

The Act received Royal Assent in March 2016.

**2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?**

### **Sustainable Management of Natural Resources**

A broad range of responses were received on previous consultations including:

- In 2010 ‘*A Living Wales: a new framework for our environment, countryside and seas*’ Green Paper.
- In 2012, the ‘*Sustaining a Living Wales*<sup>5</sup>’ Green Paper
- In 2013, ‘*Environment (Wales) Bill*<sup>6</sup> *White Paper*’. The consultation sought views on the full range of proposals, in particular focusing on the Bill’s objectives:
  - To enable Natural Resources Wales to manage our natural resources in a more joined up way.
  - To ensure the decisions we take in relation to our natural resources support our economy and communities, as well as the environment.
  - To simplify processes and to have better quality evidence on our natural resources.
  - To put in place legislation that is right for Wales and is aligned to our priorities.
  - To ensure the principles of integrated NRM and the sustainable management of natural resources are at the heart of the Bill ensuring that the value of our ecosystems can be properly considered.

A question was included to in relation to the needs of Welsh citizens:

#### **Question 41**

*“We want to ensure that the Environment Bill is reflective of the needs of Welsh Citizens. As such, we would appreciate any views in relation to any of the proposals in this White Paper that may have an impact on a) Human rights b) Welsh language or c) the protected characteristics as prescribed within the Equality Act 2010. These characteristics include gender; age; religion; race; sexual orientation; transgender; marriage or Civil Partnership; Pregnancy and Maternity; and, disability”.*

A range of equalities organisations were invited to respond to the consultation, including Diverse Cymru and the Equality and Human Rights Commission. We received responses to the question from equalities organisations including the Youth Hostel Association and Welsh Language Commissioner.

<sup>5</sup> In the green paper this was termed the ‘ecosystem approach’. <http://www.cbd.int/ecosystem>

<sup>6</sup> Towards the Sustainable Management of Wales’ Natural Resources: Consultation on proposals for an Environment Bill’: <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

### Youth Hostel Association (YHA):

*“YHA considers that it is important to consider the needs of visitors to Wales to ensure that the tourist industry continues to be supported. YHA is working in partnership with the Campaign for National Parks to encourage disadvantaged persons and ethnic groups to visit the Welsh National Parks. The Mosaic project is well established and should not be disadvantaged but encouraged by the proposals.”*

During the White Paper consultation period a number of workshops and events were held. These included a Natural Resources conference on 25 November 2013, attended by over 160 people from a range of different sectors. The conference provided an opportunity to discuss the proposals which have led to the Act, as outlined in the White Paper and other Welsh Government initiatives. Round-table discussions at the conference focused on the proposals relating to the area-based approach for natural resource management. In addition to the conference, four regional consultation events were held to discuss the White Paper proposals. The regional workshops were held on:

- Monday 2 December 2013, Merthyr Tydfil.
- Wednesday 4 December 2013, Aberystwyth.
- Monday 9 December 2013, Llandudno Junction.
- Friday 10 January 2014, Cardiff.

The comments captured at the conference and the regional events informed the consultation summary report and further development of the Bill.

Stakeholders have also been engaged on NRM and the Bill via the Departmental Conference “Child’s Future in Wales” held in November 2014.

Discussions on the development of the Bill since the White Paper consultation have been coordinated through the Natural Resources Reference Group. The Reference Group is the Department’s external stakeholder forum, comprising representatives from key stakeholders including NGOs, business, local authorities, farming sector and NRW. The Reference Group has discussed aspects of the Bill throughout its development and meets approximately every two months.

Information on the Bill has also been provided to stakeholders, throughout its scrutiny, via the Natural Resources e-bulletin. The e-bulletin is sent to nearly 1600 external stakeholders every month.

A summary of the responses to this consultation, together with details of all responses received can be found at:

<http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?skip=1&lang=cy>

(Welsh Version)

<http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?status=closed&lang=en>

(English Version)

## **Additional consultation and engagement**

### **Climate Change**

*The Wales We Want* - Both The Wales We Want Interim and Final Reports, published in June 2014 and March 2015 respectively, showed that climate change was considered the single most critical issue facing future generations.

*UK Committee on Climate Change* - In January 2013, the UK Committee on Climate Change (UKCCC) produced their second annual report "*Progress reducing emissions and preparing for climate change in Wales*"<sup>1</sup>. As part of the report, the Welsh Government requested the UKCCC to provide an assessment of legislative options on climate change mitigation and adaptation provisions that might be appropriate to include in the Bill.

*Climate Change Commission for Wales* - In July 2013 the Climate Change Commission for Wales (CCCW) submitted a Position Paper on the development of the Bill, which was in response to a contribution request from the Minister for Natural Resources and Food.

*Well-being of Future Generations (Wales) Act 2015* - In November 2014, the Environment and Sustainability Committee published the Well-being of Future Generations (Wales) Bill: Stage 1 Committee Report. The report highlighted a number of responses that stated climate change goals needed to be better represented and strengthened within legislation.

During the Environment and Sustainability Committee session on 4 March 2015, it was recommended that establishing statutory climate change targets for Wales would be a positive step in tackling climate change.

### **Charges for Carrier Bags**

Engagement on the carrier bag provisions has taken place with Defra and the devolved governments, the Welsh Local Government Association and several retail associations, such as the Federation of Small Businesses, the Association of Convenience Stores and the British/Welsh Retail Consortium.

### **Collection and Disposal of Waste**

Engagement has been undertaken on the proposals, with key stakeholders including businesses (e.g. Federation for Small Businesses) the waste industry (the Wales Environmental Services Association) public sector (for example Wales Health Estates); NRW, Local authorities, Defra and the devolved governments.

### **Marine Licensing**

Engagement on the marine licensing charging provisions has taken place with Defra, other devolved governments, NRW and other marine licensing stakeholders.

### **Fisheries for shellfish**

Engagement has taken place with 3 Inshore Fisheries Groups, the Welsh Marine Fisheries Advisory Group, and the Menai Strait Fishery Order Management

Association and fishery industry such as Seafish and the Welsh Fishermen's Association.

### **Flood and Coastal Erosion Committee**

NRW have engaged with the Flood Risk Management Wales Committee as part of the review.

### **Land Drainage**

Engagement has taken place with NRW, the Internal Drainage Boards, Environment Agency in England and Agricultural Land Tribunals.

**3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?**

### **Sustainable Management of Natural Resources**

There is a limited evidence base on our natural resources and there is no legal requirement for any organisation to report on the state of natural resources in Wales. This is something we are seeking to address through the Act, particularly through the publication of the SoNaRR. This evidence base, in the future, would help to ensure we have the right information which we can use to help inform decisions on how we may improve our environment, taking into consideration specific local issues, for example in areas of deprivation.

SoNaRR will provide a comprehensive and centralised national evidence base on the status of natural resources in Wales, which is regularly reviewed and updated to reflect current conditions. In doing so it will provide the evidence needed to inform the development of policy to enable the Welsh Ministers to set priorities for action at the national level, as well as evidence to inform the selection of appropriate areas for the implementation of these priorities by NRW at a local level, for example, taking consideration of specific local issues in areas of deprivation.

An outcome of the sustainable management of natural resources will mean that benefits are provided for local communities equally, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. The intention is to create a resilient natural environment, so that natural resources will continue to provide for example clean water, good air quality, climate regulation and crop pollination. This is also likely to lead to improved access to our environment and green spaces which would benefit communities, for example by providing opportunities for outdoor leisure activities.

The principles of sustainable management of natural resources under section 4 of the Act include the need to promote and engage in collaboration and co-operation and to make appropriate arrangements for public participation in decision-making. In applying the principles, NRW and the Welsh Ministers must therefore engage with all relevant sectors of society, including consulting with them. This will also ensure that the principles reflect the public participation requirements of the Convention on

Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention).

It is expected that this will create a positive impact on equality by broadening access to participation and improved decision making, which will include representation of a wider group base within society. This will also be integrated into the main elements of Part 1 of the Act relating to evidence, policy and delivery.

### **Climate Change**

In January 2013, the UK Committee on Climate Change (UKCCC) produced their second annual report "*Progress reducing emissions and preparing for climate change in Wales*"<sup>1</sup>. As part of the report, the Welsh Government requested the UKCCC to provide an assessment of legislative options on climate change mitigation and adaptation provisions that might be appropriate to include in the Bill.

In June 2014 and March 2015, both The Wales We Want Interim and Final Reports were published and showed that climate change was considered the single most critical issue facing future generations. The final report represents the overall summaries of a year-long conversation with people across Wales which started in February 2014. The conversation was undertaken in association with the development of the Well-being of Future Generations (Wales) Act 2015 and engaged nearly 7000 people.

The provisions in this Act place a long-term statutory target to reduce Wales' emissions by at least 80% lower than the baseline by the year 2050 together with a requirement for the Welsh Ministers to set interim targets and carbon budgets to achieve this target. The framework itself does not raise issues of equality and the Welsh Government is content that the findings in the original equality impact assessment for the original Climate Change Strategy are still applicable.

Nevertheless, when the Welsh Government sets any new proposals and policies for meeting carbon budgets, they would be subject to an engagement process and a full and detailed assessment. This would include an equality assessment in line with the requirements under the Well-being of Future Generations (Wales) Act 2015.

### **Charges for Carrier Bags**

The findings in the original equality impact assessment for the original single use carrier bags charge are still applicable.

In terms of the provision to place a duty on retailers to apply the net proceeds of the charge on carrier bags to good causes, it was initially identified in the original equality impact assessment for the Waste (Wales) Measure 2010 that the proposal to adopt a voluntary agreement with retailers to donate the net proceeds of the charge to good causes would not have significant impact on people with protected characteristics. As with the original equality impact assessment the Welsh Government is content that placing a duty on retailers to donate the net proceeds of the charge to any good causes would not negatively impact people with protected characteristics

When introduced, the provision required sellers to donate the net proceeds from the charge to all good causes and, as a consequence of this, people of with protected

characteristics were considered to be likely beneficiaries. Following amendments agreed at Stage 2 by the National Assembly for Wales' Environment and Sustainability Committee, this provision was amended to require the net proceeds of the charge to be applied to charitable purposes that relate to environmental protection or improvement. However, an exception was included to allow sellers to continue with their arrangements with non-environmental good causes if they gave notice of their intention. As a consequence, it is considered that people with protected characteristics will still benefit from this provision.

### **Collection and Disposal of Waste**

It is intended that the requirements will be introduced via subordinate legislation and therefore as the Act provisions provide enabling powers to the Welsh Ministers only, they do not directly raise issues of equality. At this time, the Welsh Government is content that the findings in the equality impact assessment for the Wales waste strategy Towards Zero Waste are still applicable. Any decision to make regulations under the Act would be subject to an extensive engagement process and full and detailed Regulatory Impact Assessment at that time.

### **Fisheries for Shellfish**

The Act makes amendments to insert enabling powers into the Sea Fisheries (Shellfish) Act 1967. As the Act provides enabling powers for the Welsh Ministers only, the Act provisions themselves do not raise issues of equality. However, further equality analysis of the exercise of those powers will be undertaken by the Welsh Government when the subordinate legislation is introduced.

### **Marine Licensing**

A fees review is underway to ensure that fees will be set proportionally and fairly and a further Impact Assessment will be carried out at that time. For the purposes of introducing the new powers, we have utilised data evidence from NRW and proxy data from other marine licensing authorities to establish evidence based best estimates. The powers will be applied to all users of the marine licensing system.

No impacts on equality issues were identified on completion of the impact assessment in relation to the marine licensing provisions

### **Flood and Coastal Erosion Committee**

This policy will see the establishment of the Flood and Coastal Erosion Committee which will provide advice to the Welsh Ministers on flooding from all sources and coastal erosion across Wales.

The benefits and impacts will apply equally to all people across Wales and capture risk from rivers, surface water, ordinary watercourses, reservoirs and the sea as well as coastal erosion. In providing such advice, it can look at the wider risks and multiple benefits across larger spatial areas, associated with river catchments and/or coastal areas. The Welsh Government can also ensure that flood risk management across Wales is aligned with the National Strategy for Flood and Coastal Erosion Risk Management, including reducing risk from flooding and raising awareness. This should therefore have a positive impact on people at risk from flooding.

## **Land Drainage**

The purpose of the policy is to clarify the powers of the Welsh Ministers to enforce remedial drainage works as directed by an ALT order helping to restore land to its economic function, therefore is neutral from an equality perspective. There may be a positive impact on Human Rights as the provision will ensure an effective remedy and help to resolve cases more quickly, preventing long, protracted disputes. No impacts on equality issues were identified on completion of the impact assessment for the provisions in relation to IDBs.

### **In developing the Bill, the following evidence was considered:**

Equality Impact Assessment for the Welsh Government Draft Budget, 2014:  
<http://wales.gov.uk/topics/equality/inclusivepolicy/impactassessments/draftbudget1415eia/>

How fair is Wales? Equality, human rights and good relations, Equality and Human Rights Commission, 2011:  
<http://www.equalityhumanrights.com/wales/library/how-fair-is-wales/>

UK National Ecosystem Assessment, 2011:  
<http://uknea.unep-wcmc.org/Resources/tabid/82/Default.aspx>

State of Nature Report, 2013:  
<http://www.rspb.org.uk/ourwork/science/stateofnature/index.aspx>

Making Space for Nature: A review of England's Wildlife Sites and Ecological Network, 2010:  
<http://archive.defra.gov.uk/environment/biodiversity/index.htm>

Sustainable development Indicators for Wales, Welsh Government / Statistics for Wales, 2013:  
<http://wales.gov.uk/statistics-and-research/sustianable-development-indicators>

Sustainable Development Bill White Paper:  
<http://wales.gov.uk/consultations/sustainabledevelopment/sdwhitepaper/?lang=en>

Sustainable Development Scheme:  
<http://wales.gov.uk/topics/sustainabledevelopment/publications/onewalesoneplanet/?lang=en>

Climate Change: its impacts for Wales, Welsh Assembly Government, 2009.  
<http://wales.gov.uk/topics/environmentcountryside/climatechange/publications/impact sforwales/>

Equality Act 2010:  
<http://www.legislation.gov.uk/ukpga/2010/15/contents>

Green Growth Wales: Investing in the Future, 2014:  
<http://wales.gov.uk/topics/environmentcountryside/consmanagement/green-growth-wales/?lang=en>

World Health Organisation: Protecting Health in Europe from Climate Change, 2008

[http://www.google.co.uk/url?url=http://www.euro.who.int/\\_data/assets/pdf\\_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4\\_iaP3iglgG&ved=0CBQQFjAA&usg=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA](http://www.google.co.uk/url?url=http://www.euro.who.int/_data/assets/pdf_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4_iaP3iglgG&ved=0CBQQFjAA&usg=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA)

University of Exeter in 2014, 'Longitudinal effects on mental health of moving to greener and less green urban areas'

<https://ore.exeter.ac.uk/repository/handle/10871/15080>

## Impact

**An assessment on the impact on the protected groups under the Equality Act 2010 has been undertaken for each of the proposals in the Act. Sections 4.1 to 4.11 have been populated with evidence in relation to the sustainable management of natural resources and climate change proposals.**

**For each of the other policy areas included in the Act for collection and disposal of waste, charges for carrier bags, fisheries for shellfish, marine licensing and land drainage, the impact has been none or negligible.**

**4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?**

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people (Children and young people, up to 18)  Policy leads should also complete a Children's Rights Impact Assessment.	√			It is intended that the Act will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. Better decision-making, planning and sustainable management of our natural resources have real potential to deliver a positive impact on groups who are most vulnerable and excluded. The Act will therefore support wider work to tackle poverty and inequality.  Sustainably managing our natural resources may also lead to an increase in sustainable jobs. This could provide further employment opportunities and skills for young people and future generations; reducing poverty. The Green Growth Wales: Investing in the Future Report <sup>7</sup> stated that:

<sup>7</sup> <http://wales.gov.uk/topics/environmentcountryside/consmanagement/green-growth-wales/?lang=en>

People 18- 50	√			<p>“We already have over 41,000 people employed in the green economy in a variety of industries including energy, waste and water.”</p> <p>Tackling climate change and reducing greenhouse emissions can have a positive impact on all ages and can help build resilience in communities to extreme weather events such as extreme temperatures and flooding. The World Health Organisation: Protecting Health in Europe from Climate Change<sup>8</sup> stated that there is “Increased risk of heat-related mortality, especially for the elderly, chronically ill, very young and socially isolated”.</p> <p>Our environment is also a part of Wales’ heritage, and managing this sustainably would not only benefit communities in Wales but tourists who visit Wales for its unique heritage and landscape.</p>
Older people (50+)	√			

#### 4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment			√	<p>As stated above it is intended that the Act will lead to benefits for all local communities equally, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> <p>The Act should not have a specific impact on disabled people as a whole, although there is significant potential for it to have a positive impact on</p>
Hearing impairment			√	
Physically			√	

<sup>8</sup>[http://www.google.co.uk/url?url=http://www.euro.who.int/\\_data/assets/pdf\\_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4\\_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA](http://www.google.co.uk/url?url=http://www.euro.who.int/_data/assets/pdf_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA)

disabled				<p>tackling mental health issues. For instance, a report by University of Exeter in 2014<sup>9</sup> highlighted that access to green spaces has been linked to improved mental health. The evidence indicates that access to green spaces can contribute to stress reduction and an increase in general well-being.</p> <p>Green spaces can also lead to opportunities for outdoor physical activity which can again have a positive impact on mental health Through improved physical fitness.</p> <p>Tackling climate change and reducing emissions can have a positive impact for people with disabilities. For example, those suffering from respiratory illnesses are likely to benefit from improved air quality through effective efforts to help reduce the likelihood of extreme weather events in future (including reduced frequency of high daily temperatures during summer).</p>
Learning disability			√	
Mental health problem	√			
Other impairments issues			√	

#### 4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male			√	<p>The Act will not have a specific impact on a particular gender.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p>
Female			√	

<sup>9</sup> <https://ore.exeter.ac.uk/repository/handle/10871/15080>

#### 4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
			√	<p>The Act will not have a specific impact on transgender people.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p>

#### 4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage			√	<p>The Act will not have a specific impact on marriage or civil partnership.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p>
Civil Partnership			√	

#### 4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy	√			As set out above, it is intended that the Act will lead to benefits for local communities as a whole, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.
Maternity (the period after birth)	√			Tackling climate change and reducing emissions can have a positive impact on pregnant women. For example it can help build resilience in communities to extreme weather events, such as extreme temperatures. The World Health Organisation: Protecting Health in Europe from Climate Change <sup>10</sup> stated that “pregnant workers with increased body metabolism are at heightened risk from increased temperatures in the work environment”.

#### 4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,	√			The Act will not have a specific impact on people due to their race on the whole, but it may have a positive impact on ethnic minorities as described below.
National Origin (e.g. Welsh,			√	In their consultation response to the White Paper, the Youth Hostel

<sup>10</sup> [http://www.google.co.uk/url?url=http://www.euro.who.int/\\_data/assets/pdf\\_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4\\_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA](http://www.google.co.uk/url?url=http://www.euro.who.int/_data/assets/pdf_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA)

English)				<p>Association said that the proposals in the Act would support their work “to encourage disadvantaged persons and ethnic groups to visit the Welsh National Parks”.</p> <p>The Black Ethnic minority Group <sup>11</sup>stated that: “Many ethnic communities live in some of the worst environments in the inner cities. The use of the countryside by ethnic groups for enjoyment and recreation directly improves their quality of life.”</p>
Asylum Seeker and Refugees			√	
Gypsies and Travellers			√	
Migrants			√	
Others			√	

#### 4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus,			√	<p>The Act will not have a specific impact on religious groups.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p>

<sup>11</sup> <http://www.ben-network.org.uk/resources/pubs.asp>

Others (please specify)				
Belief e.g. Humanists			√	
Non-belief			√	

#### 4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men			√	<p>The Act will not have a specific impact on people due to their sexual orientation.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p>
Lesbians			√	
Bi-sexual			√	

**4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.**

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions	√			<p>The joined-up and proactive planning and management of Wales’ natural resources embodies fully the international values of sustainable development and has the potential to have a positive impact on all.</p> <p>The sustainable natural resource management provisions set out in Part 1 of the Act have been specifically designed to complement the principles confirmed in UN’s Convention on Biological Diversity (CBD) and align fully with the UN’s Framework Convention on Climate Change objectives. The EU Commission, UN CBD Secretariat and other international organisations have acknowledged the Act as an exemplar of best practice.</p> <p>The Act is therefore consistent with the Convention for the Protection of Human Rights and Fundamental Freedoms and The Charter of Fundamental Rights of the European Union.</p>

***If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.***

***Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.***

**4. 11 Do you think this policy will have a socio-economic impact, especially when decisions are contributing to tackling poverty or could adversely impact on lower-socio economic groups?**

Socio-economic impacts	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
	√			<p>There are clear connections between tackling poverty, economic prosperity and the use of natural resources for current and future generations, and there is substantial evidence to suggest more integrated management is needed which better recognises the value of our ecosystems and the services they provide<sup>12</sup>. For example, the UK wide 2010 <i>Making Space for Nature</i><sup>13</sup> report made a case for a refreshed 'restorative approach' which rebuilds nature and creates a more resilient natural environment for the benefit of wildlife and ourselves.</p> <p>Other connections between tackling poverty and the use of natural resources include the enhanced biodiversity duty. This could enhance the capacity of our natural resources to provide ecosystem services such as clean water, good air quality, climate regulation and crop pollination, as well as providing habitats for wildlife.</p> <p>Biodiversity drives the functioning of our ecosystems, which in turn deliver a range of essential services to society. It is crucial, therefore, to sustaining ecosystems at a level that enables them to provide the vital services on which our lives depend.</p> <p>Repealing and replacing the duty (section 40 of the Natural Environment and Rural Communities Act 2006) will support delivery of the Well-being goals under the Well-being of Future Generations (Wales) Act 2015. Improving regulatory services will provide more opportunities to make improvements to</p>

<sup>12</sup> UK National Ecosystem Assessment, (2011), p53

<sup>13</sup> *Making Space for Nature: A review of England's Wildlife Sites and Ecological Network*, (2010)

				<p>the health and recreation of those poorest members of the community, such as improved air quality and open access to green space i.e. parks and gardens.</p> <p>The right mix of ecosystem services and the formulation of new markets, over the long term, will help to boost green growth and job creation.</p> <p>At an international level biodiversity and tackling poverty have been linked via the post 2015 Development Agenda of the United Nations<sup>14</sup>, which includes a development goal, the aim of which is to show the role that biodiversity plays on such issues as tackling poverty and creating economic activity.</p>
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#### 4.12 Do you think that this policy will have any positive or negative impact on Sustainable Development?

Sustainable Development	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
	√			<p>The approach taken in the Act to sustainably manage Wales' natural resources also builds on the Welsh's Government's commitment to sustainable development as our central organising principle to define the best development path for Wales<sup>15</sup>. This approach is based on a significant evidence base, as set out specifically in the Sustainable Development Scheme, and allows wider social and economic benefits provided by natural resources, and their inter-relationships to be considered.</p> <p>It also embodies our values of fairness and social justice. The Act</p>

<sup>14</sup> <http://www.un.org/millenniumgoals/environ.shtml>

<sup>15</sup> Sustainable Development Bill White Paper <http://wales.gov.uk/consultations/sustainabledevelopment/sdwhitepaper/?lang=en>

				will ensure that decisions made by the Welsh Government and its partners optimise opportunities for our communities, economy and the environment in Wales – and that the needs of future generations are considered.
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**4.13 Do you think that this policy will have any positive or negative impact on the Welsh Language?**

Welsh Language	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
	√			<p>Overall, we assess that there would be a positive impact on the Welsh Language. We agree with the Welsh Language Commissioner's response to the Environment Bill consultation who stated that the policy fully promotes supports and develops the language. In particular the Commissioner stated "The proposal to require NRW to develop and implement an area-based approach for the sustainable management of natural resources is a way of ensuring that there will be an appropriate focus on the Welsh language in its heartlands".</p> <p>The Act intends to support all communities to be resilient and sustainable. This could have a positive impact on supporting Welsh Language communities and could help to maintain the number of Welsh Language speakers within rural areas.</p>

***If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.***

***Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.***

## **Equality Impact Assessment – Part 2**

### **1. Building on the evidence you gathered and considered in Part 1, please consider the following:**

#### **1.1 How could, or does, the policy help advance / promote equality of opportunity?**

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The Act will ensure that decisions made by the Welsh Government and its partners optimise opportunities for our communities, economy and the environment in Wales – and that the needs of future generations are considered.

Working with other bodies, NRW will lead a new approach to planning natural resources at a local level – taking into account local needs and priorities - and publish area statements setting out the opportunities, challenges and broad actions required in a stated area to sustainably manage our natural resources.

NRW will also ensure we have a robust evidence base, in the future, by preparing a State of Nature Report (SoNaRR) to ensure we have the right information which we can use to help inform decisions on how we may improve our environment, taking into consideration specific local issues, for example in areas of deprivation.

#### **1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?**

The Act would not directly influence unlawful discrimination, harassment or victimisation. However, as confirmed above, it is intended that the Act will lead to benefits for all local communities as a whole, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. It is intended that decision making will benefit all groups in society.

**1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?**

The Act will also encourage decision-makers to consider the needs and opportunities for different areas with the needs of communities at the heart of the decision- making process.

**2. Strengthening the policy**

**2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?**

**What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?**

N/A – only positive or negligible effects were identified

**2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.**

**(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)**

N/A - only positive or negligible effects were identified

### 3. Monitoring, evaluating and reviewing

#### How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

In evaluating the provisions introduced through the new legislation, the following will be a useful guide to success:

- The tools the legislation introduces are being used successfully, in conjunction with delivery measures, to provide increased certainty and transparency in implementing Welsh Government's policies for natural resources.
- The net environmental, social and economic benefits of implementing the proposals justify the resource allocated to them, i.e. they are cost effective, and there is no evidence that this resource could have reasonably been used in a different way to produce superior results more efficiently.
- Development in the environment and exploitation of its resources continues in a sustainable way without the negative effects on the environment that are occurring and that would continue to occur if changes were not made.
- The provisions are perceived as being implemented fairly and constructively by the majority of those involved in the environment.

Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into SoNaRR, NNRP and area statements. These could also be reviewed if the Welsh Ministers review their well-being objectives, as set under the Well-being of Future Generations (Wales) Act 2015. It is expected that this would prompt a review of NNRP and any changes to NNRP would prompt a review of the area statements.

Climate change will also be covered in the NNRP and therefore will be evaluated in line with the monitoring and assessment procedures provided under Part 1 of the Act for NNRP.

**Environment (Wales) Act 2016**

**Children's Rights Impact Assessment (CRIIA)**

<b>Title / Piece of work:</b>	Environment (Wales) Act 2016
<b>Department:</b>	Natural Resources
<b>Date:</b>	09/07/2014

## Six Steps to Due Regard



### **Step 1. What's the piece of work and its objective(s)?**

You may wish to include:

- A brief description of the piece of work
- What the time frame for achieving it is?
- Who are the intended beneficiaries?
- Is it likely that the piece of work will affect children?
- Will the piece of work have an affect on a particular group of children, if so, describe the group affected?

In order to secure Wales' future prosperity we need to recognise the value of our natural resources and the services they provide. To do this we need to put in place a modern legislative approach that recognises that our water, land and air are all interlinked and our economy, society and environment are all interdependent.

The overarching aims of the Act are to enable Wales' resources to be managed in a more proactive, sustainable and joined-up manner and to set out the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider work to help secure Wales's long term well-being, so that it benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

The Act makes provision to help plan and manage Wales' natural resources at a national and local level, through specific requirements for a SoNaRR, a NNRP and area statements. The provisions will enable greater integration and simplification of policies, plans and programmes where this is consistent with statutory duties. The Act provides NRW with a general purpose duty that aligns fully with the statutory principles for the sustainable management of natural resources, and provides NRW with enhanced powers to undertake land management agreements and experimental schemes in line with those principles. The Act also provides public authorities with a reshaped requirement to seek to maintain and enhance biodiversity.

The Act also includes provisions to tackle climate change, through statutory emission

reduction targets and carbon budgeting to support their delivery. It also includes provisions to improve the use of resources in relation to carrier bags and waste management. The sections on carrier bag charging will expand and improve the scheme for single use carrier bags and those on waste provide the Welsh Ministers with powers to take action to achieve higher levels of recycling for business waste, food waste treatment and energy recovery. The Act also clarifies the law for a number of environmental regulatory regimes including marine licensing, shellfisheries management, land drainage and flood risk management.

### **What are the stated aims?**

In summary, these proposals will:

- Part 1: Sustainable Management of Natural Resources – provides a modern legislation for managing Wales’ natural resources that helps to tackle the challenges we face and is focused on the opportunities our resources provide.
- Part 2: Climate Change- provides the Welsh Ministers with power to put in place statutory emission reduction targets and carbon budgeting to support their delivery.
- Part 3: Charges for Carrier Bags – provides the Welsh Ministers with the necessary powers to address issues in implementing the successful carrier bag charge.
- Part 4: Collection and Disposal of Waste – improves waste management processes by helping us achieve higher levels of business waste recycling, better food waste treatment and increased energy recovery.
- Parts 5 & 6: Fisheries for Shellfish and Marine Licensing – clarifies the law in relation to shellfisheries management and marine licensing.
- Part 7: Flood & Coastal Erosion Committee and Land Drainage – clarifies the law for other environmental regulatory regimes including flood risk management and land drainage.

The Act received Royal Assent in March 2016. It is intended that the Act will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations, including young people.

### **Step 2. Analysing the impact**

- What are the positive and/or negative impacts for children, young people or their families?
- Where there are negative impacts; what compensatory measures may be needed to mitigate any negative impact?
- How will you know if your piece of work is a success?
- Have you developed an outcomes framework to measure impact?
- Have you considered the short, medium and long term outcomes?
- Do you need to engage with children & young people and/or stakeholders to seek their views using consultation or participatory methods?
- Do you need to produce child friendly versions of proposals/consultations?

## **Sustainable Management of Natural Resources**

As stated above it is intended that the Act will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations, this will include positive impacts for young people.

Better decision-making and managing our natural resources sustainably has the potential to have a positive impact on groups who are most vulnerable, and therefore will have positive impacts on tackling poverty and inequality.

NRW are undertaking trials in three catchment areas – the Dyfi, Rhondda & Tawe, to develop the thinking and processes for area-based natural resource management. The idea behind the area trials is they will provide NRW with the opportunity to develop this approach and incorporate into their planning in preparation for the roll out of statutory guidance under the Act, in particular in relation to the meeting the priorities identified in the NNRP, which will be addressed at a local level via the area statements.

For example the area trials include initiatives to cut back forest/ woodland areas to improve local communities' access to the land for recreational purposes. The Act may have a positive impact and provide communities access to open spaces which provides opportunity for outdoor activities and recreational areas.

It may also cover disadvantaged areas such as those designated as Communities First areas and will aim to establish schemes which benefit these communities and will encourage community cohesion.

Monitoring of the area trials will be undertaken in order to assess the outcomes and impacts of the area trials.

The Environment Bill White Paper consultation took place between October 2013 and January 2014, and sought views on the full range of proposals, in particular focusing on the objectives of the Environment (Wales) Bill ('the Bill'):

- To enable Natural Resources Wales to manage our natural resources in a more joined up way.
- To ensure the decisions we take in relation to our natural resources support our economy and communities, as well as the environment.
- To simplify processes and to have better quality evidence on our natural resources.
- To put in place legislation that is right for Wales and is aligned to our priorities.
- To ensure the principles of integrated NRM and the sustainable management of natural resources are at the heart of the Bill, ensuring that the value of our ecosystems can be properly considered.

A broad range of responses were received, including responses from organisations

such as the Youth Hostel Association (YHA). One of the key responsibilities of the YHA is to improve young people's access to the countryside. In their response to the consultation, they approved of the aims of the Bill and provided an explanation of how the Bill's aims reflected those of a key programme they have been running with young people from BME (black minority ethnic) groups. Four stakeholder events were also held across Wales in Cardiff, Aberystwyth, Merthyr Tydfil and Llandudno. Attendees at these events also re-iterated the requirement for children's needs to be considered. Working with other bodies, NRW will lead on a new approach to planning natural resources at a local level, delivering the priorities identified in NNRP via the area statements at a local level.

Factsheets on the Act and a short animation film have been prepared to ensure that the Act is accessible by all, including children and young people.

A competition was also held for primary schools in Wales to coincide with the introduction of the Bill, they were required to design a poster to help communicate the aims of the Bill. Over 300 entries were received from primary schools across Wales.

### **Step 3. How does your piece of work support and promote children's rights?**

Dependant upon the impact of your piece of work, use balanced judgement to assess:

- Which UNCRC articles are **most** relevant to the piece of work? Consider the articles which your piece of work impacts upon.  
<http://uncrcletsgetitright.co.uk/images/PDF/UNCRCRights.pdf>
- How are you improving the way children and young people access their rights?
- What aspects of children's lives will be affected by the proposal?
- What are the main issues that the CRIA should focus on?
- Does the piece of work help to maximise the outcomes within the articles of the UNCRC?
- If no, have any alternatives to the current piece of work been considered?

No negative impacts on children were identified for any of the policy areas contained in the Act. The following potential positive impacts were identified:

#### **Sustainable Management of Natural Resources**

With respect to Articles 2, 6, 24 and 27 of the United Nations Convention on the Rights of the Child (UNCRC), an outcome of the sustainable management of natural resources will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations, including young people. Better decision-making and managing our natural resources sustainably has the potential to have a positive impact on groups, including children, who are most vulnerable.

## **Climate Change**

As a result of previous carbon emission we are already locked into a certain amount of climate change over the next 30-40 years.

Whilst climate change is a global phenomenon, the impacts of climate change are also felt at a local level, by vulnerable people such as children who have limited ability to adapt to extreme weather events and climate change e.g. those living in deprivation, the less educated and those who are physically or mentally ill.

Climate change has a disproportionate effect on those most vulnerable, as those who contribute least to the problem through emissions, are ones that may be most affected by climate change impacts and may also have to pay most to address the issue - people on low incomes may be disproportionately affected by costly policy interventions and lack the safety net of resources to cushion the direct effects of climate change.

The impacts of climate change can affect health, nutrition, education as well as adding pressures on households, such as rising food and energy prices. How much emissions are reduced and adaptation is delivered will determine the future climate risks for children. An assessment of the Articles under the UNCRC has been applied and Article 6, 12, 24 and Article 27 are applicable.

The Welsh Government's aim is to set out a clear pathway within the context of its UK and EU obligations for at least an 80% reduction in emissions by 2050. A clear pathway for decarbonisation not only provides transparency but will also have a positive impact on the environment, people, the economy and communities. For instance work on energy efficiency not only helps to reduce emissions but also ensures people are living in warm homes, whilst also providing local jobs and skills for young people. Work on pollution and prevention control helps to ensure that we have access to clean and accessible water, air quality and green spaces, which has health benefits for children. Whilst work on green growth provides investment and opportunities for decarbonisation, which will shape the future skills set needed by children as they enter the workforce.

If emissions are reduced and resilience to climate change increased, it will not only help to ensure delivery on the targets but help to provide wider benefits to current and future generations, whilst limiting the impacts of climate change on those future generations.

When the Welsh Government sets any new proposals and policies for meeting carbon budgets, they would be subject to an engagement process and full and detailed assessments which would include a Children's Rights Impact Assessment.

## **Charges for Carrier Bags**

Allowing the Welsh Ministers to place charges on other types of carrier bags, as well as single use carrier bags, in order to reduce demand for these and encourage their re-use. This would enable a wider environmental awareness through an overall reduction in the demand for re-usable carrier bags by consumers, and a change in consumer behaviour towards re-use of the bags they already own.

This may affect all children in a positive way through the resulting environment

improvements that may arise from a reduction in the production and, inappropriate disposal of, carrier bags.

The second provision will require new sellers, and those who had previously not donated, to give their net proceeds to environmental good causes, of which an exception is included to enable sellers to continue their arrangements with non-environmental good causes.

An indirect effect of the provision is that there would be an increase in the net proceeds of the charge being donated to good causes and as a result some children may benefit.

### **Collection and Disposal of Waste**

An assessment of the Articles under the UNCRC has been applied and it has been identified that Article 6, Article 17 and Article 24 are applicable.

The policy proposals support the aims of Article 6 and 24, and by supporting the more sustainable management of waste and associated benefits, they are likely to contribute to the improvement of those rights within Wales and globally.

The Welsh Government considers that the policy proposals are not in conflict with the provisions of Article 17. Children are already informed of the broader principles of sustainable waste management (i.e. reduce, re-use, recycle) within the national curriculum. It is not considered necessary or appropriate to inform children of the legislation in place to help achieve those outcomes.

With respect to Article 24, the overall benefits of the policy proposal will be to improve the overall environment in Wales, which will give greater effect to Article 24 relating to a clean environment so that children and young people will stay healthy.

### **Marine Licensing**

The marine licensing regime provides the framework for authorising developments in Welsh waters. In determining an application for a marine licence (including the terms on which it is to be granted and what conditions, if any, are to be attached to it), the appropriate licensing authority must have regard to—

- (a) the need to **protect the environment**,
  - (b) the need to **protect human health**,
  - (c) the need to **prevent interference with legitimate uses of the sea**,
- and such other matters as the authority thinks relevant.

As such the UNCRC Articles that could apply are Article 6 and Article 24.

The extended powers outlined in the Act will enable the licensing authority to recoup fees associated with administering marine licences. Being able to recoup these fees will ensure that the licensing authority can deliver an effective, fit for purpose marine licensing regime now and in the future.

An effective marine licensing regime will contribute to the achievement of a healthy marine environment. A healthy marine environment contributes to the wellbeing of the children of Wales and for future generations. Supporting the more sustainable

management of the marine environment is likely to make a positive contribution to UNCRC.

Furthermore, with respect to Article 6 and 24, the overall benefits of the policy proposal will be to contribute to the sustainable development of the marine environment in Wales and to continue to consider the need to protect human health in permitting future development, which will give greater effect to Articles 6 and 24.

### **Fisheries for Shellfish**

The Articles of the UNCRC that could apply are Article 6 and Article 24. The remainder of the Articles have been assessed as not being applicable.

The policy proposals support the aims of Article 6 and 24, and by supporting the sustainable and economic shellfishery opportunities in Wales are likely to contribute to the improvement of those rights within Wales and globally. The proposals will have no direct impacts on children and young people, with any impacts being indirect and positive, and the outcomes of those impacts being most relevant to articles 6 and 24.

The overall benefits of the policy proposal will be to increase the provision of nutritious food and therefore the chances of children to develop healthily in Wales.

### **Land Drainage**

The proposed amendments to legislation under the Land Drainage Act 1991 have no direct impact on the lives of children and young people.

### **Flood and Coastal Erosion Committee**

The proposed amendments to legislation under the Flood and Water Management Act 2010 have no direct impact on the lives of children and young people

The Act aims to provide benefits for local communities equally, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. It intends to create a resilient natural environment, so our natural resources can provide clean water, good air quality, climate regulation and crop pollination. A healthy environment supports a healthy lifestyle, helping to improve overall health and well-being.

The natural environment may indirectly lead to positive impacts for children, for example the Welsh Government's Foundation Phase Learning explains the important role played by outdoor environmental activities:

*"children learn through first-hand experimental activities with the serious business of*

*play providing the vehicle ... first-hand experiences allow children to develop an understanding of themselves and the world in which they live ... the Foundation Phase environment should promote discovery and independence and a greater emphasis on using the outdoor environment as a resource for children's learning.'*<sup>16</sup>

The outdoor environment can help to stimulate children's learning –activities including learning about how plants grow, and how schools can manage their own gardens help encourage children to take an interest in the environment from an early age.

#### **Step 4. Advising the Minister and Ministerial decision**

The Minister for Natural Resources has been regularly briefed on the development of the Act and has considered the assessment undertaken analysing the impacts on children's rights covered in this assessment. In addition to the full assessment the Explanatory Memorandum includes a summary of the impacts in relation to each of the policy areas in the Act.

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<sup>16</sup> (Framework for Children's Learning for 3-7 year olds in Wales, p.4)  
<http://wales.gov.uk/docs/dcells/publications/141111-framework-for-childrens-learning-for-3-to-7-year-olds-en.pdf>

### **Step 5. Recording and communicating the outcome**

This Children's Rights Impact Assessment is stored on the Welsh Government's record management system (iShare A10649182), and published to the Welsh Government website for public access.

This document has been updated during the development of the policy and during the scrutiny of the Bill.. A version to reflect the content of the Bill as introduced into the Assembly on 11 May 2015 was published by the National Assembly for Wales. This version reflects the content of the Act as at March 2016.

### **Step 6. Revisiting the piece of work as and when needed**

As highlighted above, this is a live document and has been updated during the development of the Bill. It was assessed and updated to reflect changes after amendments to the Bill were agreed at Stages 2 and 3.

This version reflects the content of the Bill as passed and by the Assembly and therefore the Act which received Royal Assent in March 2016.

It will continue to be updated and as and when relevant during the implementation of this Act.

In evaluating the provisions introduced by the Act , the following will be a useful guide to success:

- The tools the legislation introduces are being used successfully, in conjunction with delivery measures, to provide increased certainty and transparency in implementing Welsh Government's policies for natural resources.
- The net environmental, social and economic benefits of implementing the proposals justify the resource allocated to them, i.e. they are cost effective, and there is no evidence that this resource could have reasonably been used in a different way to produce superior results more efficiently.
- Development in the environment and exploitation of its resources continues in a sustainable way without the negative effects on the environment that are currently occurring and that would continue to

- occur if changes were not made.
- The provisions are perceived as being implemented fairly and constructively by the majority of those involved in the environment.

Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into SoNaRR, NNRP and area statements. These could also be reviewed if the Welsh Ministers review their well-being objectives, as set under the Well-being of Future Generations (Wales) Act 2015.

### **Budgets**

<b>As a result of completing the CRIA, has there been any impact on budgets?</b>	<b>No</b>
<b>Please give any details:</b>	

### **Monitoring and Review**

<b>Do we need to monitor/review the proposal?</b>	<b>Yes</b>
<b>Set the review date:</b>	<b>December 2016</b>

## Environment (Wales) Act 2016

### Rural Proofing Tool

This should enable you to consider the needs, desires of people, communities and businesses in rural Wales.

<b>Policy/ Programme/Initiative to be rural proofed</b>	<b>Environment (Wales) Act 2016</b>
<b>Division/Department</b>	<b>Natural Resources</b>

<b>Questions</b>	<b>Comments</b>
<p><b>Q1. Stakeholders</b> What contact have you had with rural stakeholders? Please briefly describe any events targeted at rural stakeholders.</p>	<p>A broad range of responses have been received on previous consultations including:</p> <ul style="list-style-type: none"> <li>• In 2010 ‘<i>A Living Wales: a new framework for our environment, countryside and seas</i>’ Green Paper.</li> <li>• In 2012, the ‘<i>Sustaining a Living Wales</i>’<sup>17</sup>, Green Paper</li> <li>• In 2013, ‘<i>Environment (Wales) Bill</i>’<sup>18</sup> <i>White Paper</i>’. The consultation sought views on the full range of proposals, in particular focusing on the objectives of the Environment (Wales) Bill (‘the Bill’): <ul style="list-style-type: none"> <li>➤ To enable Natural Resources Wales to manage our natural resources in a more joined up way.</li> <li>➤ To ensure the decisions we take in relation to our natural resources support our economy and communities, as well as the environment.</li> <li>➤ To simplify processes and to have better quality evidence on our natural resources.</li> <li>➤ To put in place legislation that is right for Wales and is aligned to our priorities.</li> <li>➤ To ensure the principles of integrated</li> </ul> </li> </ul>

<sup>17</sup> In the green paper this was termed the ‘ecosystem approach’. <http://www.cbd.int/ecosystem>

<sup>18</sup> Towards the Sustainable Management of Wales’ Natural Resources: Consultation on proposals for an Environment Bill’: <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

NRM and the sustainable management of natural resources are at the heart of the Bill, ensuring that the value of our ecosystems can be properly considered.

A number of rural stakeholders responded to the White Paper; including Farming Unions, Countryside and Business Land Association, Campaign for Protection of Rural Wales, rural local authorities, National Parks Wales and Campaign for National Parks.

During the White Paper consultation period a number of workshops and events were held. These included a Natural Resources conference on 25 November 2013, attended by over 160 people including key rural stakeholders. The conference also had a key speaker from the farming community who provided a rural perspective on Natural Resource Management (NRM).

The conference provided an opportunity to discuss the proposals which have led to the Act, as outlined in the White Paper and other Welsh Government initiatives. Round-table discussions at the conference focused on the proposals relating to the area-based approach for natural resource management.

In addition to the conference, four regional consultation events were held to discuss the White Paper proposals; this was to ensure that discussion was open and accessible to all stakeholders, particularly those with a rural interest. The regional workshops were held on:

- Monday 2 December 2013, Merthyr Tydfil.
- Wednesday 4 December 2013, Aberystwyth.
- Monday 9 December 2013, Llandudno Junction.
- Friday 10 January 2014, Cardiff.

The comments captured at the conference and the regional events informed the consultation summary report and further development of the Bill.

Discussions on the development of the Bill since the White Paper consultation have been coordinated through the Natural Resources Reference Group. The Reference Group is the Department's external stakeholder forum, comprising representatives from

	<p>key rural stakeholders from the farming sector such as Farming Unions, CLA and Campaign for Protection of Rural Wales. The Reference Group has discussed aspects of the Act throughout its development and meets approximately every two months.</p> <p>Information on the Bill has also been provided to stakeholders, through the scrutiny process, via the Natural Resources e-bulletin. The e-bulletin is sent to nearly 1600 external stakeholders every month.</p> <p>A summary of the responses to the White Paper consultation, together with details of all responses received can be found at:  <a href="http://wales.gov.uk/consultations/environmentandcountyside/environment-bill-white-paper/?skip=1&amp;lang=cy">http://wales.gov.uk/consultations/environmentandcountyside/environment-bill-white-paper/?skip=1&amp;lang=cy</a>  (Welsh Version)  <a href="http://wales.gov.uk/consultations/environmentandcountyside/environment-bill-white-paper/?status=closed&amp;lang=en">http://wales.gov.uk/consultations/environmentandcountyside/environment-bill-white-paper/?status=closed&amp;lang=en</a>  (English Version)</p> <p>NRM was also one of the themes covered at the Welsh Government's stand at the Royal Welsh Show in July 2014.</p> <p>Fishery officials have also engaged with the fishing industry at 3 regional Inshore Fishery Groups around Wales and the Welsh Marine Fishery Advisory Groups to discuss the proposals contained in the Bill.</p>
<p><b>Q2. Access</b>  Will access be an issue for rural people? (Rural people may have to travel long distances to access services).</p> <p>Yes _____ how will you overcome barriers?</p> <p>No _____ go to Q3</p>	<p>There are no access issues arising from the Act.</p> <p>In relation to the provisions dealing with the <b>collection and disposal of waste</b>:</p> <p>Householders in rural Wales already benefit from access to a good range of recycling services. However, a number of respondents to the White Paper consultation commented on the lack of rural recyclable material collection from businesses. It is intended that the Act will improve this situation. All waste companies, including those operating in rural areas already have a statutory requirement to collect paper, plastic, glass and metal separately where technically, economically and environmentally practicable.</p> <p>The provisions of the Act requiring material to be segregated by the waste producer are intended to ensure that waste collection companies have greater</p>

	<p>volumes of segregated materials available for collection, thereby increasing the economic viability of operating separate collection services. The requirement to increase the range of materials to be separately collected will ensure that a more comprehensive system of recyclable material collection will be available to waste producers in rural communities.</p>
<p><b>Q3. Needs of Rural People</b> Has the policy taken account of rural needs, e.g. older population, lack of affordable housing, language requirements?</p> <p>Yes_____ please describe the needs and the mitigation action?</p> <p>No_____ What do you plan to do to take into account?</p>	<p>Yes. Below is a description of how rural needs have been taken into account for some of the specific areas of the Act.</p> <p><b>Sustainable Management of Natural Resources</b> As stated in Q1 there has been ongoing consultation and engagement with stakeholders representing rural interest such as farming unions.</p> <p>Working with other bodies, NRW will lead a new approach to planning natural resources at a local level. It will publish area statements setting out the key risks that need to be carefully managed and mitigated and the key opportunities for the sustainable use of natural resources at an area level, including both rural and urban areas in Wales.</p> <p>By highlighting the role that biodiversity plays in ecosystem resilience, the intent of the provision in the Act is to ensure that the maintenance and enhancement of biodiversity contributes to the long-term sustainability of the processes that underpin the way ecosystems work.</p> <p>This will enhance the capacity of our natural resources to provide ecosystem services such as clean water, climate regulation and crop pollination, as well as providing habitats for wildlife in both rural and urban areas.</p> <p>Ecosystem benefits, for the purpose of the Act are:</p> <ul style="list-style-type: none"> <li>• Supporting services, for example nutrient cycling, oxygen production and soil formation. These are the services that are necessary for the production of all other services.</li> <li>• Provisioning services, for example food, fibre, fuel and water. These are the products obtained from ecosystems.</li> <li>• Regulating services, for example climate regulation, water purification and flood</li> </ul>

	<p>protection. These are the benefits obtained from the regulation of ecosystem processes.</p> <ul style="list-style-type: none"> <li>• Cultural services, for example education, recreation, and aesthetic benefits. These are the cultural benefits people obtain from ecosystems.</li> </ul> <p>The Act will complement the proposals within the Well-being of Future Generations (Wales) Act 2015, enforcing our commitment to sustainable development as the best way to improve the well-being of Wales now and for future generations.</p> <p><b>Climate Change</b> Tackling Climate Change and reducing emissions can help build resilience to extreme weather events such as extreme temperatures and flooding. It can therefore have a positive impact on rural communities.</p> <p><b>Collection and Disposal of Waste</b> As householders already have access to a good range of recycling services, the proposals will impact on non-domestic elements (for example, businesses and the public sector). The policies are not therefore expected to adversely impact on the older generation, or affordable housing. Where necessary, communication with Welsh speaking businesses over the requirements will be conducted in Welsh.</p> <p><b>Land Drainage</b> The aim of the provision in relation to internal drainage boards and their advertising requirements is for a more cost effective and flexible means of advertising to ensure the messages are delivered efficiently and effectively to rural areas through various types of advertising, e.g. digital, websites, social media, parish boards etc.</p> <p>The provision relating to the power of entry will help to alleviate flooding and ensure that farming land is sufficiently drained to be used for rural purposes such as farming.</p>
<p><b>Q4 (a) Impact on Services</b> Will the policy lead to the creation of new services (positive impacts) or the closure of existing services (negative impacts)?</p>	<p>There will be no impact on services with regards to most of the provisions of the Act. The potential positive and negative impacts that have been identified are set out below.</p>

<p>Yes _____ please explain</p> <p>No _____ move to Q4(b)</p>	<p><b>Potential positive impacts:</b></p> <p><b>Collection and Disposal of Waste</b>  The provisions requiring material to be segregated by the waste producer are intended to ensure that greater volumes of segregated materials are available for collection by waste collection companies, thereby increasing the economic viability of operating separate collection services.</p> <p>The requirement to increase the range of materials that waste collection companies collect separately should ensure that a more comprehensive system of recycle collection will be available to waste producers in rural communities.</p> <p>The provisions of the Act are likely to result in an increase in rural infrastructure, for example material processing facilities and material collection services.</p> <p><b>Fisheries for Shellfish</b>  The provisions in the Act are designed to increase investment in shellfisheries in Welsh waters. This should lead to an increase in the local economy and potentially the creation of jobs in both rural and urban areas.</p> <p><b>Potential negative impacts:</b></p> <p><b>Collection and Disposal of Waste</b>  Research commissioned by the Welsh Government predicts that though many businesses are likely to accrue savings, some businesses may incur an increase in the cost of their waste collection services. The research is summarised in the regulatory impact assessment for the Act<sup>19</sup>. It suggests that businesses producing smaller amounts of waste are more likely to see an increase in their annual waste collection costs. In the most extreme scenario modelled, in which separate food waste collection is extended to all waste producers, the additional cost to a typical business producing small amounts of waste is expected to be less than £700 per annum.</p>
<p><b>Q4 (b) How do you plan to overcome or mitigate any negative impacts?</b></p>	<p><b>Collection and Disposal of Waste</b>  It may not be possible to ensure that the proposals are cost neutral or beneficial to all producers of business waste. However, as part of the development of</p>

<sup>19</sup> *Environment Act Regulatory Impact Assessment, pg. 215.*

	<p>Regulations under the powers conferred on the Welsh Ministers by the Act, the Welsh Government will be developing guidance to support the proposals and to mitigate negative impacts on those adversely impacted.</p>
<p><b>Q5. Rural Places-Land</b> Does your policy require the purchase or use of land? Have you considered rural dimensions such as land value, availability or restrictive designation?</p> <p>Yes _____ how will you overcome barriers?</p> <p>No _____ Go to Q6.</p>	<p><b>Sustainable Management of Natural Resources</b> The Act will make provision for NRW to enter into voluntary land management agreements with any person, landowner or business, with a legal right over the land, to manage that land. The land management agreements may impose positive obligations or restrictions on a land owner or occupier to manage the land in a way that will contribute to for example the sustainable management of natural resources, or to manage land in a way that may contribute to flood alleviation and can provide a sufficient level of certainty that the land will continue to be maintained to a specific standard even if it is sold.</p> <p><b>Collection and Disposal of Waste</b> The proposals may result in a small localised increase in commercial waste material facilities, for example depots for collected recyclable materials.</p> <p>However, overall the proposals are expected to significantly reduce reliance on landfill through the provision of alternate forms of waste management such as recycling. The sustainability assessment post adoption statement for the Wales Waste Strategy “Towards Zero Waste”<sup>20</sup> concluded that increasing recycling (over landfill) will reduce landtake and associated environmental impacts arising from landfill.</p>
<p><b>Q6. Terrain</b> Will your policy work in areas of difficult terrain, e.g. narrow roads, steep mountains?</p> <p>Yes _____ please explain how?</p> <p>If no _____ how will you overcome barriers?</p>	<p>Yes.</p> <p><b>Sustainable Management of Natural Resources</b> As stated above the Act will allow NRW to produce area statements that will set out the key risks that need to be carefully managed and mitigated and the key opportunities for the sustainable use of natural resources at an area level. This allows NRW to identify sustainable solutions by taking into account the needs and opportunities of a given area. It also allows a holistic approach to tackling key challenges, for example in reducing flood risk and tackling climate change.</p>

<sup>20</sup> [http://wales.gov.uk/topics/environmentcountryside/epq/waste\\_recycling/publication/towardszero/?lang=en](http://wales.gov.uk/topics/environmentcountryside/epq/waste_recycling/publication/towardszero/?lang=en)

	<p><b>Land Drainage</b> The policy will enable poorly drained land to be restored by ensuring the drainage ditches are in good working condition as directed by an Agricultural Land Tribunal Order.</p>
<p><b>Q7. Rural Business</b> Is your policy relevant to SMEs or Micro Businesses?</p> <p>Yes _____ how have you taken their situation into account? No _____ go to Q8.</p>	<p>The parts of the Act that are potentially relevant to SMEs or Micro Businesses are set out below.</p> <p><b>Climate Change</b> Tackling Climate Change and reducing emissions can help build resilience to extreme weather events such as extreme temperatures and flooding. It can therefore have a positive impact on rural communities and rural businesses such as the agriculture sector.</p> <p><b>Collection and Disposal of Waste</b> The Welsh Government will take into account the situation of SMEs and micro businesses as regulations (and accompanying support and guidance) are developed under the powers conferred on the Welsh Ministers by the Act.</p> <p><b>Fisheries for Shellfish</b> The changes are designed to increase investment in shellfisheries in Welsh waters and are therefore designed to help SMEs in this sector.</p> <p><b>Land Drainage</b> The policy is applicable to individual farming and business units by ensuring that land is adequately drained and restored to allow for farming or business use.</p>
<p><b>Q8. Access to Support</b> Does your policy expect business to be able to access support? (This may be in the form of advice, training, finance etc.)</p> <p>Yes _____ What barriers will they face and how will they overcome them? No _____ go to Q9</p>	<p>There will be no impact on business and the ability to access support in relation to most of the aspects of the Act. The parts that may involve business to access support are described below.</p> <p><b>Collection and Disposal of Waste</b> The Welsh Government already operates a number of programmes which support businesses on resource efficiency, including Resource Efficient Wales advice service and the Business Wales programme operated by the Department of Economy, Science and Transport (ES&amp;T).</p> <p>In addition to this, the Welsh Government will develop support and guidance to coincide with the introduction</p>

	<p>of Regulations under the powers conferred on the Welsh Ministers by the Act.</p> <p><b>Fisheries for Shellfish</b> Any support or guidance can be provided to fishery groups if needed, through phone calls and meetings and access to information on the Welsh Government's webpages. In particular, officials will visit the 3 inshore Fishery Groups to ensure a full understanding of the provisions and the changes they mean is provided to those in the fisheries industry i.e. fisherman.</p>
<p><b>Q9. Infrastructure</b> Does your policy depend on infrastructure such as good road/rail connections or fast broadband speeds?</p> <p>Yes _____ how have you made provision for businesses in more isolated rural areas? No _____ go to Q10</p>	<p>There will be no impact on infrastructure in relation to most of the parts of the Act. Two potential areas of the Act have been identified as potentially depending on infrastructure, described below.</p> <p><b>Fisheries for Shellfish</b> Yes – the upturn in investment could lead to an increase in transport provision which would be beneficial to rural SMEs in this sector, and possibly outside of it.</p> <p><b>Land Drainage</b> The provision in relation to IDBs and their advertising requirements may depend on fast broadband speeds in a way that by distributing the relevant messages, rural areas may have some difficulty accessing the internet due to poor connection. It is intended that this will improve as a result of the Superfast Broadband initiative. The aim of the provision, to provide more flexibility in advertising requirements for IDBs, will mean that rural areas will also be able to target their notices more directly, for example, through parish notice boards or community halls.</p>
<p><b>Q10. Other Issues</b> Did any other issues come up as a result of the engagement with stakeholders mentioned in Q1 or any other consultation?</p> <p>Yes _____ What were they and how have you modified your policy to take them into account? No _____ go to</p>	<p>Stakeholders who responded to the White Paper were widely supportive of implementation of the Act as a whole. No specific issues relating to rural matters were raised.</p>

**Objectives**

The proofing tool aims to help you consider rural realities and needs as part of the policy-making process. Now that you have completed the questionnaire, what are your main objectives to make your policy relevant and practical in a rural setting?

**Please list up to five objectives:**

<b>1</b>	<p>Through the Act the area statements will help local stakeholders and delivery bodies to consider the challenges and opportunities for the sustainable management of natural resources in their areas, which may include rural areas.</p> <p>Some of the main aims of area statements that are intended to impact positively on those with rural interests are:</p> <ul style="list-style-type: none"> <li>- The identification of potential opportunities and priorities at a local level and potential collaboration and engagement opportunities for different bodies to work together and encourage active participation in the delivery of the sustainable management of natural resources at a local level and across different stakeholders.</li> <li>- A holistic approach taken to tackling key challenges, for example in reducing flood risk and tackling climate change.</li> <li>- The rationalisation of processes to remove any duplication of activities.</li> </ul>
<b>2</b>	<p>In developing the Bill the Welsh Government considered the implementation of the proposals in relation to the sustainable management of natural resources (Part 1 of the Act) through assessing the outcomes of the 3 area trials undertaken by NRW. In particular, the impact on rural areas will be considered.</p> <p>The purpose of the area trials is to explore how to embed an integrated approach to natural resource management within the operation of Natural Resources Wales, within specific geographical areas. It will demonstrate how the duties in the Act might be applied in practice. In doing so the trials will seek to deliver as many benefits as possible for the people, environment and businesses of Wales, through capitalising on the opportunities identified collaboratively throughout their development and implementation. It will also be an opportunity to raise awareness of the role of other public bodies, land managers and private business in the sustainable management of natural resources.</p> <p>On completion of the three trials, the aim is to have produced a successful template for the implementation of area based planning across Wales.</p>
<b>3</b>	Engagement with the rural community will be maintained through the

	Reference Group and other mechanisms, in order to consider the impact of the Act on rural areas.
4	<p>The provisions of the Act that impact on communities have been considered, including rural communities. They will continue to be monitored by means of post implementation review and support will be developed if appropriate.</p> <p>Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into SoNaRR, NNRP and area statements.</p>

# **Welsh Language Impact Assessment**

## **Environment (Wales) Act 2016**

**March 2016**

## Welsh Language Impact Assessment

<b>Title:</b> The Environment (Wales) Act 2016	<b>WLIA Reference No</b> <i>(completed by WLU): 14/12/01</i>				
<b>Programme/Project Type</b> <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Grant <input type="checkbox"/> Business change <input type="checkbox"/> Infrastructure <input type="checkbox"/> Construction, Capital <input type="checkbox"/> ICT <input type="checkbox"/> Other (Please specify below)					
<input type="checkbox"/> Project or programme <input type="checkbox"/> Research, evaluation <input type="checkbox"/> Services <input type="checkbox"/> Contracts, tenders					
<b>Costs: How much is the projected whole life cost for the programme/project?</b> If below £25k, then a full WLIA is not always required (see guidance).					
Under £25k	£25k - £49k	£50 - £249K	£250K - £1m	Over £1m	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
<b>Of the above, please provide details if there are any identified costs directly associated with the Welsh language?</b> Translation work and associated costs have been allocated for the Environment (Wales) Bill ('the Bill'), associated documentation, associated requirements (for example the National Natural Resources Policy) and communications activities which have included events with simultaneous translation facilities.					
<b>How long is the programme/project expected to run?</b>					
Up to 1 yr	Up to 2yrs	Up to 5yrs	Up to 10yrs	More than 10 yrs	Unknown
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>Key milestone dates for the programme/ project:</b>					
<ul style="list-style-type: none"> <li>Non-statutory National Natural Resources Policy statement published Spring 2015 (for confirming priorities prior to the Act coming into force and to inform scrutiny of the Bill);</li> <li>The Bill was introduced in May 2015</li> <li>The Bill received Royal Assent in March 2016</li> <li>The first State of Natural Resources Report (SoNaRR) will be published in autumn 2016, the first National Natural Resource Policy (NNRP) will be published in spring 2017 and preparation of area statements from mid-2017.</li> </ul>					

## STAGE 1: PLANNING

### **What are the aims and objectives of the policy?**

### **What are the desired outcomes/ what constitutes 'success'?**

The general purpose of the legislation is to ensure that Wales' has a modern legislative framework which enables natural resources to be managed in a more proactive, sustainable and joined-up manner. The sustainable management of natural resources is a key tenet of this framework, which recognises that the resilience of ecosystems and the services they provide is essential to the well-being of both current and future generations. The Act makes provision to help plan and manage Wales' natural resources at a national and local level, through a SoNaRR, a NNRP and area statements, coupled with supporting provisions, such as the biodiversity and resilience of ecosystems duty.

To assist in the delivery of the sustainable management of natural resources, enhanced powers have been provided to NRW to enter into land management agreements and experimental schemes. Where NRW has requested assistance and/or information from public bodies, as defined in the Act, these bodies will be under a duty to provide this in relation to the preparation and production of SoNaRR and area statements.

The Act provides NRW with a general purpose duty that aligns fully with the statutory principles for the sustainable management of natural resources, and provides NRW with enhanced powers to undertake land management agreements and experimental schemes in line with those principles. The Act also provides public authorities with a reshaped requirement to seek to maintain and enhance biodiversity.

The Act also includes provisions to tackle climate change, through statutory emission reduction targets and carbon budgeting. A number of other provisions support the overall objectives of the Act, including provisions in relation to carrier bags charging to enable improvements to the scheme for single use carrier bags. The Act also provides the Welsh Ministers with powers to take action to achieve higher levels of recycling for business waste, food waste treatment and energy recovery. The Act clarifies the law for a number of environmental regulatory regimes including marine licensing, shellfisheries management, land drainage and flood risk management.

The aim is to ensure that the management and use of Wales' natural resources is undertaken in a way and at a rate that maintains and enhances the resilience of ecosystems and the services they provide to meet the social, economic and environmental needs of current and future generations.

### **What policy options have been considered? and**

### **What impacts will there be if the policy is *not* implemented?**

#### **Policy options considered**

A number of policy options have been considered as part of the evidence gathering process to inform the Regulatory Impact Assessment.

One option is to 'do nothing' that would involve continuing with statutory and policy frameworks.

The second option is to

- introduce legislation in order to:
  - Provide an integrated approach to achieve the sustainable management of natural resources, which includes an interconnected and mandatory process for an improved evidence base, policy development and delivery at both the national and local level within a specified and transparent timeframe. This would also provides bodies with duties and powers to contribute to the delivery of sustainable management of natural resources, which enables a more prosperous economy, cohesive society alongside a healthy and resilient environment.
  - Place a duty on the Welsh Ministers to set climate change targets to work towards meeting our target for reducing greenhouse gas emissions. This will help to provide certainty for investment towards a low-carbon Wales.
  - Widen the scope of the carrier bag provisions in the Climate Change Act 2008 to enable a minimum charge to be placed on other types of carrier bags, in addition to the charge on single use carrier bags, and to impose a duty on sellers to apply the net proceeds of the carrier bags charge. The Act also places a duty on sellers to give their net proceeds of the carrier bag charge to good causes.
  - Require businesses and the public sector to present specified recyclable waste materials separately for collection; require persons who collect waste to collect specified recyclable waste materials separately (in addition to those required by the Waste (England and Wales) Regulations (as amended) as above): ban the incineration of specified waste materials; ban the landfilling of specified waste materials; and ban the disposal of food waste to sewer from non-domestic premises.
  - Amend the Sea Fisheries (Shellfish) Act 1967 to provide the Welsh Ministers with two new powers to adjust/cease fishing practices within a fishery immediately upon serving a Site Protection Notice upon the Grantee, requiring the Grantee to comply with the terms of the notice (which is to have a specified fixed period) and, subsequently, to amend/revoke a Several and Regulating Order (SRO) in order to reflect the effect of the Site Protection Notice.
  - Amend the marine licensing fee charging powers under the Marine and Coastal Access Act 2009, which will enable the licensing authority to seek to achieve greater cost recovery whilst administering the marine licensing system.
  - Make changes to the Flood and Water Management Act 2010 in respect of the Regional Flood and Coastal Committee in Wales.
  - Amend the Land Drainage Act 1991 for Internal Drainage Boards to remove the requirement to advertise in local newspapers and the London Gazette and to provide an appeal mechanism for local authorities to challenge levies issued by NRW.
  - Rectify a gap in legislation identified in the powers of the Welsh Ministers under section 29 of the Land Drainage Act 1991 and enable the Welsh Ministers expert agent unfettered access to verify whether the provisions of an ALT's Order have been complied with

For some of the policy provisions in the Act, namely the waste and the marine licensing provisions, further policy options were identified. More detail on the options for each

part of the Act can be found in the Regulatory Impact Assessment<sup>21</sup> . .

### **What impacts will there be if the policy is not implemented?**

#### Sustainable Management of Natural Resources

Recent evidence, such as the 2011 *National Ecosystem Assessment* (NEA) on the state of UK ecosystems, shows a continuing decline in biodiversity and that around a third of the services provided by our natural environment are degraded or in decline. The NEA findings are also reflected in the 2013 *State of Nature* report. Scientific evidence also shows that the impacts of climate change are likely to continue to increase, with daily temperatures having increased in Wales by 0.7degrees Celsius against the 1990 baseline with a projected rise of approximately 1.3 degrees Celsius by 2020.

Biodiversity is a key component of ecosystems and less diversity can result in a loss of ecosystem resilience. Less resilient ecosystems are less likely to be able to adapt to the pressures of climate change and therefore less able to be able to continue to provide ecosystem services. More resilient ecosystems by contrast can help us to adapt and respond to climate change impacts and associated disaster risks. Ecosystem degradation compromises the carbon sequestration ability of natural systems, and may turn these systems from carbon sinks to sources, thus exacerbating the downward spiral.

The National Assembly's Sustainability Committee Inquiry into Biodiversity recommended that the Welsh Government should adopt a strategic ecosystems approach to the management of biodiversity. The UK wide Making Space for Nature Report (2010) and State of Nature Report, (2013), made a case for a refreshed 'restorative approach' which rebuilds nature and creates a more resilient natural environment for the benefit of wildlife and ourselves. There is substantial evidence to suggest more integrated management is needed which better recognises the value of our ecosystems and the services they provide. There has been international recognition of the need for a more integrated approach to environmental management. The United Nations' Convention on Biological Diversity (CBD), which introduced the ecosystem approach, has endorsed this approach as its primary framework for the integrated management of land, water and living resources. The Act introduces this approach.

Welsh Communities are less resilient to the impacts of climate change and our natural resources are less able to provide viable social, economic and environmental services over the medium and long-term.

#### The governance arrangements for elements of decision making are more complex

Decision-making affecting our natural resources would not require wider ecosystems consideration (except in some limited cases e.g. Water Framework Directive) and would therefore still in the main be focused on a single media (e.g. water). Decision-making would not require consideration of the services provided by our ecosystems and an evaluation of the impacts on the value of those services over the long-term. There would not be a coherent and comprehensive evidence base which provides centralised

<sup>21</sup> <http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/environment-bill/?lang=en>

evidence for any decision-maker. The environmental legislative framework was largely developed to address changing pressures and specific environmental problems over the years and often has a narrow focus. This approach can be in isolation from economic and social policy - has led to a complex mix of regulation that doesn't always work together towards a common aim of improving Wales' long term future.

#### Innovative approaches to the sustainable management of Wales' natural resources are limited

Scientific understanding and society has moved on and our management of our natural environment and our legislation must, in turn, evolve. Innovative ways to trial new approaches would be limited to the conservation activities of NRW.

There would be no power for NRW to trial new approaches, which may include using new or alternative techniques and technology for achieving their aim to sustainably manage Wales' natural resources. For example, NRW would be unable to trial experimental schemes, due to restrictions in the legislative structure.

#### More complexity for NRW in meeting its general purpose and delivering its obligations under the Well-being of Future Generations (Wales) Act 2015

NRW was created to form a single environmental body for Wales. NRW has a unique mix of responsibilities, encompassing land, forestry, nature and wildlife, air quality, water resources and quality, flood risk management and fresh water fishing. It was provided with a new general purpose under the Natural Resources Body for Wales (Establishment) Order 2012, which requires that it ensures the environment and natural resources of Wales are sustainably maintained, enhanced and used.

With new requirements set out in the Well-being of Future Generations (Wales) Act 2015 on sustainable development, NRW's general purpose would be inconsistent, potentially creating conflict.

Aligning the purpose will ensure consistency between NRW's functions under the Establishment Order, the Well-being of Future Generations (Wales) Act 2015 and this Act and provide a more integrated approach. This will allow for the consideration of the dynamic interface between our natural environment, our economy and society so that we are able to take decisions that consider the connection between all three spheres. The Welsh Government's aim through this Act is to enable NRW to deliver against its long-term goals of social, economic and environmental well-being.

#### Climate Change

Acting on climate change not only reduces emissions and builds resilience but also ensures that the Wales we live in has clean air, water, liveable places, productive farmland, energy security and green jobs.

Whilst climate change is a global phenomenon, the impacts are felt at a local level. It can be the most vulnerable in society who are often disproportionately impacted. The provisions in this Act place a long-term statutory target to reduce Wales's emissions together with a requirement for the Welsh Ministers to set interim targets and carbon budgets to achieve this target.

There is overwhelming scientific consensus for climate change and the need for action.

Delaying climate change action will only make it harder and more expensive to tackle.

Climate change has a disproportionate effect on those most vulnerable, as those who contribute least to the problem through emissions, are ones that may be most affected by climate change impacts and may also have to pay most to address the issue.

The Welsh Government's aim is to set out a clear pathway within the context of its UK and EU obligations for at least an 80% reduction in emissions by 2050. A clear pathway for decarbonisation not only provides transparency but will also have a positive impact on the environment, people, the economy and communities.

If emissions are reduced and resilience to climate change increased, it will not only help to ensure delivery on the targets but help to provide wider benefits to current and future generations, our communities and our overall cultural future.

When the Welsh Government sets any new proposals and policies for meeting carbon budgets, they would be subject to an engagement process and full and detailed assessments which would include a Welsh Language Impact Assessment.

#### Charges for Carrier Bags

If the powers under the Climate Change Act 2008 had not been expanded, the Welsh Ministers would be unable to address any rise in consumption or inappropriate disposal of other types of carrier bags through Regulations. This would have a detrimental effect on the environment and would undermine the objectives of the single use carrier bags charge.

In respect of the application of the net proceeds, it has never been the purpose of the carrier bag charge to raise money for good causes. However, the Welsh Government is concerned that, whilst many sellers are voluntarily donating the net proceeds of the charge to good causes, some are profiting from the charge. If the duty was not implemented, then the Welsh Ministers would be unable to address this issue.

#### Collection and Disposal of Waste

If the changes had not been made through the Act, the recycling of valuable waste materials and attendant benefits would not be maximised.

#### Shellfisheries

Under the do nothing option, the shellfish industry would remain stifled, and investment would be difficult to attract.

#### Marine licensing

If the changes in the Act had not been made, NRW (the licensing authority) will effectively subsidise the administration of the licensing regime. Also, opportunities to front-load the licensing process will not be realised because NRW will offer only limited pre-application services.

#### Flood and Coastal Erosion Committee

If the changes under the Act had not been made, the Flood Risk Management Wales Committee (FRMC) would remain as established under the Flood and Water Management Act 2010. A number of issues have been identified with the scope of the

committee resulting in a lack of clarity over responsibility for decision making and accountability, more specifically when approving NRW's flood risk management programme.

The FMRC, as established under the Flood and Water Management Act 2010, focuses purely on scrutinising and advising NRW on its activities, whereas the proposed Flood and Coastal Erosion Committee will be wider in remit and will include advising the Welsh Ministers on the overall flood risk management activity in Wales in addition to the work undertaken by local authorities, water and sewerage companies and the highways agencies.

#### Land drainage

If the policies are not implemented then local authorities will not have adequate means of challenging levies from NRW that they deem to be unfair, and there will be an advertising system that is out of date and no longer relevant to Wales.

The Act will allow with referrals from ALT applicants as quickly and efficiently as possible in order to bring a case to a successful conclusion. If the Act is not made, then cases could take longer to process.

#### **Does the programme demonstrate a clear link with the Welsh Government's strategy for the Welsh language - laith fyw: laith byw?**

No

#### **What are the impacts/ effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage**

No negative impacts on the Welsh language were identified for any of the provisions in the Act.

The following potential positive impacts were identified in relation to Sustainable Management of Natural Resources.

#### **Positive**

Through the long term, efficient and sustainable use of natural resources at both national and local levels, the Act provides the opportunity for a number of positive impacts on Welsh communities aimed towards securing the future prosperity of Wales. Many of these benefits will have an equitable affect on Welsh speaking and non-Welsh speaking communities.

The Act will support the implementation of the Well-being of Future Generations (Wales) Act 2015 through providing an integrated approach on how sustainable management of natural resources can help to deliver the well-being goals in in the Well-being of Future Generations (Wales) Act 2015. The Act provides mechanisms which may help public bodies meet their duties under the Well-being of Future Generations (Wales) Act 2015, for example area statements will provide evidence to inform local-well being assessments but may also provide economic, social and environmental opportunities in the area from the sustainable management of natural resources, to which public bodies may contribute. The well-being plans under the Well-being of Future Generations (Wales) Act 2015 will set out clearly how Public Service Boards and their partners will

work together to improve the well-being of people and communities in their area.

Within the set of the seven statutory well-being goals that public bodies must seek to achieve is the well-being goal “A Wales of vibrant culture and thriving Welsh language”.

Specific impacts on communities where there are Welsh speakers are highlighted. In summary these opportunities are:

- The NNRP will set out the priorities and opportunities for the sustainable management of natural resources in Wales and therefore to ensure that our ecosystems are resilient and therefore able to provide services to meet both current and future needs. This in turn will lead to longevity of those services, which many of our social and economic activities rely upon. Examples include land management and land use applications, extractive industries and primary industries. Specific to the Welsh language, statistics show that 29.5% of those employed in the agriculture, energy and water industries are Welsh speakers (Ability to speak Welsh by Industry –Census 2011). The agriculture, energy and water industries tend to be rural, with a higher proportion based in Welsh language heartlands. It is expected that improved management of our natural resources will have a positive affect on the sustainability of these industries and provide for further growth opportunities, thereby, indirectly contributing positively to the use of Welsh language within these communities.
- Area statements will implement national policy priorities and opportunities for our natural resources in local areas - this will ensure more focused delivery of priorities and opportunities at the appropriate scale. Area statements will be underpinned by up to date and robust data provided by SoNaRR and, in practical terms, the development of area statements will need to be informed by the specific needs of the relevant local community. Area statements may identify new opportunities, for example, payment for ecosystem services or natural solutions to flood alleviation of carbon storage. More specifically, Welsh language communities that benefit from the social and environmental opportunities identified in NNRP could see increased prosperity through local, targeted, sustainable job creation, thereby, reducing emigration of Welsh speakers to economic centres such as Cardiff or further afield, such as Bristol or London. This could help to reverse the loss of Welsh speakers in Welsh heartlands as well as reducing the net loss of fluent Welsh speakers from Wales. 3 area based trials are being undertaken by NRW, one of which, Dyfi, is in the Welsh speaking heart lands.
- Sustainable management of natural resources can have a positive impact on Wales’ resilience to climate change and the impacts of climate change. This will have a positive impact on Welsh communities. The proposals in relation to land management agreements and experimental schemes can help to find new approaches to mitigating and adapting to climate change by: (i) finding new ways to enhance ecosystem resilience and therefore ability to adapt to climate pressures; (ii) improving services to either store carbon or to alleviate flooding.

The following potential positive impacts were identified in relation to Part 2 for Climate Change:

- The Act allows for the creation of an advisory body in Wales, the intention of which is to provide expert, independent advice on climate change. This will provide the Welsh Ministers with powers to create an independent body should it be necessary in the future, and thus, help to future proof the provisions in the Act. As a result, positive effects are anticipated with respects to Welsh language. For example, a Welsh specific advisory body would focus its engagement specifically to Wales, and allow for engagement in the Welsh language, as and when required

**Adverse**

No adverse impacts have been identified.

**Who are the stakeholders? Are the needs of Welsh speakers and learners addressed? To what extent are Welsh language interest groups likely to respond positively to the proposals?**

In the wider sense, the whole of Wales are stakeholders, as the Act, if enacted, will have a positive long term impact on the prosperity of Wales. Alongside this a stakeholder engagement plan was developed for the NRM Programme and key stakeholders were identified. A departmental stakeholder Reference Group for has been established and a bilingual E-bulletin for the NRM Programme is sent to over 1600 stakeholders on a monthly basis.

A Green paper “Sustaining a Living Wales” was published for consultation between January 2012 and May 2012. Overall, there was broad support for the proposals. No Welsh language interest groups responded directly. A Welsh Government response document has been published:

<http://wales.gov.uk/consultations/environmentandcountryside/sustainingwales/?lang=en>)

A White Paper “Towards the Sustainable Management of Wales’ Natural Resources” was published for consultation between October 2013 and January 2014. Overall, there was broad positive support for the package of proposals in relation to the NRM proposals contained in the White Paper. All responses have been published alongside and a Welsh Government response document on the Welsh Government website at: <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

As part of the consultation on the White Paper, a number of consultation events were held across Wales. Stakeholders were given the opportunity to use Welsh at these events.

The Welsh Language Commissioner responded to the consultation and was broadly supportive.

More detail on the consultation that was undertaken in relation to the Bill t is contained in the Explanatory Memorandum.

**Where an assessment was not completed, or no impacts were identified, please provide a full account for record keeping purposes?**

(This could be used in the Welsh Language Tribunal in future)

N/A

**What actions/ further work has been identified at the initial planning stage?**

e.g. data requirements, need for peer review, external engagement with Welsh speaking groups, identify stakeholders or consultation list, need to contact Welsh Language Unit for advice)?

The Welsh Government's Welsh language Unit were contacted for further advice.

**STAGE 2: IDENTIFYING AND ASSESSING IMPACTS**

**Impact Assessment Summary**

**Summarise the detailed impact assessment carried out together with the scores assigned.**

**Positive effects/ impacts:**

Whilst the Act has not been designed specifically to address Welsh language issues, four positive impacts through natural resource management have been identified. These are:

1. The Act will support the implementation of the seven well-being goals in the Well-being of Future Generations (Wales) Act 2015. This includes the goal for a "Wales of vibrant culture and thriving Welsh language".
2. The NNRP will set out the priorities and opportunities for the sustainable management of natural resources in Wales leading to more resilient ecosystems. This will benefit communities across Wales leading to long term prosperity, social benefit and health and well being.
3. Area statements will facilitate a local approach to sustainable management of natural resources and provide for targeted solutions based on economic, social and environmental profile of a given area. This should lead to more resilient Welsh language communities that benefit from the economic, social and environmental opportunities identified which, in turn, could have a positive impact on the outward migration of fluent Welsh speakers from some Welsh speaking heartlands.
4. Sustainable management of natural resources will support climate change adaption and mitigation leading to more resilient communities which will benefit Welsh language communities in the same way as identified in impact 3.

**Adverse effects/ impacts:**

No negative impacts have been identified.

**Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased?**

The Act will support the delivery of the well-being goals, one of which is "a Wales of vibrant culture and thriving Welsh language".

<b>Evidence/ data used including demographic profile when considering the effects/ impacts:</b>	
29.5% of those employed in the agriculture, energy and water industries are Welsh speakers (Ability to speak Welsh by Industry – Census 2011)	
<b>What is the overall anticipated likely impact on the Welsh language if this policy is taken forward based on the impact assessment/ risk assessment?</b>	Positive: <input checked="" type="checkbox"/> Adverse: <input type="checkbox"/> Neutral: <input type="checkbox"/> Unknown: <input type="checkbox"/>
<b>Decision following IA</b>	1. No major change <input checked="" type="checkbox"/>
	2. Adjust the policy to improve impacts <input type="checkbox"/>
	3. Continue the policy with mitigation measures <input type="checkbox"/>
	4. Stop and remove the policy <input type="checkbox"/>
<b><i>If answered 2,3, or 4 above – then answer the following:</i></b> <b>How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation measures/ action points/ alternative options to reduce adverse impacts and increase positive outcomes:</b>	
<b>If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?</b>	
This Welsh Language Impact Assessment was published alongside the Bill upon introduction to the National Assembly for Wales on 11 May 2015. No feedback with respects to the Welsh language were raised during the Bill's passage.	
<b>STAGE 3: POST CONSULTATION AND PREPARING FOR PUBLICATION, MONITORING AND EVALUATION</b>	
<b>Following consultation, what changes have you made to address any Welsh language issues that were raised?</b>	
The comments and feedback received during the passage of the Bill were considered and, where appropriate, acted upon. None of which were related to Welsh language.	
<b>How will you monitor the ongoing effects during the implementation of the policy?</b>	
The Bill was subject to the National Assembly scrutiny process, which included stakeholder involvement. Feedback on the Bill and the National Natural Resources Policy came through the Natural Resources Reference Group and direct contact from stakeholders.	

Any monitoring of the effects of the Act will occur as part of the post implementation review.

Where appropriate, these mechanisms will be used to further consider the effects of the Act, including effects upon the Welsh language.

**Please outline how you will continue to capture effects/ impacts in future monitoring and evaluation?**

Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into the framework for sustainable management of natural resources. The Framework is comprised of the SoNaRR, NNRP and area statements.

These three delivery mechanisms create an iterative process by feeding into one another. SoNaRR will provide the evidence base upon which the NNRP will identify key priorities and opportunities for the sustainable management of natural resources, which will be delivered at an appropriate scale through the publication of area statements. Area statements will gather local evidence, which in turn can assist in feeding back into SoNaRR and will ultimately provide a measure of the progress being made in the sustainable management of our natural resources.

The Act enables the Welsh Ministers to review the NNRP and publish a new one at any time and sets out the Welsh Ministers must also review the NNRP after each Assembly election.

A further example of when there would be a review of sustainable management of natural resources framework would be if the Welsh Ministers review their well-being objectives, as set under the Well-being of Future Generations (Wales) Act 2015. It is expected that this would prompt a review of NNRP and any changes to NNRP would prompt a review of the area statements.

**Any other comments – ongoing results of evaluations, emerging impacts**

None