

Mike Hedges AM
Chair, National Assembly for Wales Petitions
Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

22 March 2017

Dear Mr Hedges,

P-05-741 Natural Resources Wales (Cyfoeth Naturiol Cymru) Needs Tighter Restriction

Thank you for your letter and enclosures of 23rd February seeking a response to the points raised by the petitioner. We note that the Committee is seeking clarification on how Natural Resources Wales takes account of competing interests and any agricultural usage of land in the process of designating Sites of Special Scientific Interest (SSSIs).

Sections 28 to 33 of Part 2 of the Wildlife and Countryside Act detail the law regarding SSSIs and Natural Resources Wales' responsibility for selecting and notifying SSSIs in Wales. Specifically, Section 28 gives NRW a duty to notify land in Wales that, in its opinion, is of special interest by reason of any of its flora, fauna, or geological or physiographical features.

SSSIs are only identified and evaluated carefully after detailed survey and evaluation against published criteria available on the [Joint Nature Conservation Committee website](#).

Once a site has been identified and evaluated, and discussions with owners and occupiers of the land and a formal public consultation have taken place, a site may be proposed to an NRW Executive Director for approval to confirm the notification. Where a site has unresolved objections, a sub group of the NRW Board, the Protected Areas Committee (PAC), will consider the notification.

When the Committee meet to consider a notification proposal anyone who has a pecuniary interest in the site(s) under consideration can attend. At the beginning of every committee meeting NRW's legal advisors advise Committee Members that when coming to a decision on whether or not to approve the confirmation of notification, that due regard be given to the needs of agriculture and forestry and the economic and social interests of rural areas (as laid down in Section 37 of the Countryside Act 1968) as well as to relevant human rights considerations. They are also reminded that SSSI designation is one of the material

considerations taken into account by local planning authorities in their decisions to consent or refuse planning permission. Socio economic issues are discussed during the question and answer session, especially if any objections are based on such matters.

Natural Resources Wales is committed to working with the owners and occupiers of SSSIs to achieve the most appropriate conservation management to benefit the habitats or species which are of special interest, and has the powers to offer to enter into a management agreement. Management agreements are a voluntary contract between Natural Resources Wales and a landowner or occupier in which a payment is made in return for land being managed to an approved plan. The management agreement is generally for positive actions which would otherwise be uneconomic. These actions may be ongoing annual activities such as grazing with cattle, or one-off capital works such as fencing or scrub clearance (or most commonly both). We recognise that without this financial support landowners may not be willing or able to manage their land in a way that supports the designated features.

Natural Resources Wales is currently in discussion with the petitioner and his agent regarding a possible management agreement in order to secure the longer term future for the habitat supporting the rare marsh fritillary butterfly.

Yours sincerely,



Emyr Roberts

**Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales**