

Committee: **Council**

Date of Meeting: **10th October, 2019**

Report Subject: **Biodiversity and Ecosystem
Resilience Forward Plan (2019-2022)**

Portfolio Holder: **Councillor Garth Collier – Executive
Member Environment**

Report Submitted by: **Head of Community Services
Clive Rogers**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
30/01/19	05/02/19				21/02/19	27/03/19	10/10/19	

1. Purpose of the Report

- 1.1 The purpose of this report is to provide an update on how the Council plans to meet its statutory duties under the Environment (Wales) Act 2016.

2. Scope and Background

- 2.1 In order to comply with the Environment (Wales) Act The Council has produced a Biodiversity and Ecosystem Resilience Forward Plan.
- 2.2 This report gives the overview of the Biodiversity and Ecosystem Resilience Forward Plan (2019-2022) (attached as Appendix 1).
- 2.3 The Plan sets out aims for the Council to meet the Biodiversity and Resilience of Ecosystems Duty under Section 6 of the Environment (Wales) Act 2016.
- 2.4 Service Area Action Plans have identified objectives that will be included in service area business plans from April 2019. The plan also includes a summary of legislative requirements and highlights links to well-being.
- 2.5 To maintain and enhance biodiversity and promote the resilience of ecosystems Blaenau Gwent County Borough Council by 2022 aims to:
- Reduce overall resource use; reuse where possible and recycle everything recyclable.
 - Increase biodiversity and ecosystems understanding in the council staff and councillors through appropriate channels including Service Area Environment Champions and the Councillor Biodiversity Champion role.
 - Embody the challenge of integrating the Active Travel, Well-being of Future Generations, Planning and Environment Acts to encourage sustainability in the ways we live, work and play.

- Promote responsible use of natural resources in Blaenau Gwent by working in partnership with others to initiate positive action and behaviour change.
- Maintain and enhance biodiversity and improve ecosystem resilience on council owned land, particularly with regard to priority species and habitats.
- Support the Blaenau Gwent & Torfaen Local Nature Partnership.

2.6 The report doesn't cover statutory duties included in the Rights of Way, Planning or Active Travel Acts but is connected to these through the Welsh government's commitment to sustainable development as the best way to improve the well-being of Wales now and for future generations.

3. Options for Recommendation

3.1 Options Appraisal

- **Option 1:** Not to agree the plan would result in the Council being unable to defend its statutory duties under the Environment (Wales) Act 2016.
- **Option 2: Preferred option** Members to approve the Plan.

3.2 To follow the duty public authorities should embed the consideration of biodiversity and ecosystems into their early thinking and business planning, including any policies, plans, programmes and projects, as well as their day to day activities¹.

3.3 To comply with the Section 6 duty, public authorities must prepare and publish a plan setting out what they propose to do to maintain and enhance biodiversity and promote resilience. A public authority, in complying with the Section 6 duty, must have regard to:

- The Section 7 list of habitats and species of principal importance for Wales
- The State of Natural Resources Report, published by NRW
- Any Area Statement which covers all or part of the area in which the authority exercises its functions, once these are produced.

3.4 A report on what the public authority has done to comply with the duty must be published by the end of 2019 and then every three years after this date.

3.5 *Adoption of the Plan*

Goes beyond the minimum to show a proactive approach to meeting the duty; embeds the consideration of biodiversity and ecosystems into business planning and enables an efficient mechanism for reporting and meeting the requirement to report to Welsh Government.

¹ <https://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/environment-act/guidance-for-section-6/?lang=en>

- 3.6 As advised in the Guidance document (as attached in appendix 2) actions have been developed collaboratively across the whole council in line with the six objectives of the Nature Recovery Action Plan for Wales².
- 3.7 The recommendation is to adopt the Plan and include identified objectives in Service Area business plans from April 2019.
- 3.8 The following recommendations were made:
Community Services DMT 31/01/19
No issues
- 3.9 RSCLT 12/02/19
No issues, supportive of report and plan
- 3.10 ERED Scrutiny 21/02/19
RESOLVED that the report be accepted and the Executive Committee approve Option 2, namely that the Plan be endorsed prior to submission to Council.
- 3.11 Feedback from Welsh Government S6 team in February 2019:
Council Statement should be signed by the leader of the Council to demonstrate a Senior commitment to the duty and embed it throughout all levels of the organisation.

The Forward Plan offers a good summary of the objectives and opportunities afforded within each of the Departments.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**
- 4.1 **Corporate Plan Priority:**
Adoption of the Biodiversity and Ecosystem Resilience Forward Plan (2019-2022) primarily contributes to meeting the following priority:
- 4.2 Strong and Environmentally Smart Communities
- To improve the access to and quality of open spaces for the benefit of our communities, businesses and visitors.
- 4.3 **Blaenau Gwent Well-being Plan**
Adoption of the Biodiversity and Ecosystem Resilience Forward Plan (2019-2022) meets all of the well-being plan objectives:
- The best start in life for everyone
 - Safe and friendly communities
 - To look after and protect the environment

² <https://www.biodiversitywales.org.uk/Nature-Recovery-Action-Plan>

- To forge new pathways to prosperity
 - To encourage and enable people to make healthy lifestyle choices in the places that they live, learn, work and play
- 4.4 Benefits provided by resilient ecosystems across the well-being goals are shown in appendix 7.2 of the plan.
- 4.5 **Well-being of Future Generations (Wales) Act 2015**
- 4.6 The Plan directly contributes to actions needed for the ‘resilient Wales’ goal: “A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change)”
- 4.8 By implementing the Environment (Wales) Act the Local Authority will maximise its contributions to the Well-being Goals.

5. Implications Against Each Option

5.1 *Impact on Budget*

Adopting the plan will have a cost neutral impact on budgets. The development of the plan has been delivered through existing resources and supported through Welsh Governments Single Revenue Grant. The Plan will enable the Council to benefit from various external funding opportunities such as the [Enabling Natural Resources and Well-being Grant](#) and other funding streams.

5.2 *Risk*

The main risk is that failure to adopt the plan will result in the Authority failing to meet its statutory duty and miss out on funding opportunities for delivery of the council corporate objectives and Blaenau Gwent well-being plan.

Option 1 - Will result in failure to comply with the Biodiversity & Ecosystem Resilience duty in Section 6 of the Environment (Wales) Act 2016.

5.3 *Legal*

The legal implications of failing to meet the Section 6 Biodiversity and Resilience of Ecosystems Duty of the Environment (Wales) Act 2016 are currently unknown.

Consideration has to be given to other policy and laws in the implementation of actions, for example the Commons Act 2006 requires consent for certain works to be undertaken.

5.4 *Human Resources*

The ways of working that will develop by working towards the aims of the Plan will contribute to staff health and well-being. For example, by raising awareness of the nearest Local Nature Reserves to council buildings.

6. Supporting Evidence

6.1 *Performance Information and Data*

Limited data is available as this is a new approach to monitoring a new duty. Future business planning will expand on KPIs such as the 2018/19 KPI INF 7 “Ensure that the Council Embraces the Well-being of Future Generations Act across the service functions and contribute to improving educational standards in relation to biodiversity”.

6.2 *Expected outcome for the public*

Biodiversity underpins the health and resilience of all of our ecosystems. In turn, these ecosystems support all life on Earth. This means that taking positive action for biodiversity and ecosystem resilience in Blaenau Gwent will enhance the natural resources the public utilise such as clean water, air and food production including pollination services. The natural environment is also a vital resource to enhance mental and physical health and well-being.

6.3 *Involvement (consultation, engagement, participation)*

The Plan was developed over two years and has involved engagement across all service areas. Follow up activities will be undertaken between the Green Infrastructure team and other service areas.

6.4 *Thinking for the Long term (forward planning)*

The Plan covers the 2019-22 period and will be revised and renewed in line with up to date policy, legislation and evidence.

6.5 *Preventative focus*

Contributing to the maintenance and enhancement of biodiversity and ecosystem resilience will help to mitigate climate change and provide positive opportunities to maintain and build mental and physical health and well-being.

6.6 *Collaboration / partnership working*

The work on the Environment Act duty fits with the Blaenau Gwent well-being plan and ways of working could be shared with members of the Blaenau Gwent Public Service Board. Support for the Blaenau Gwent & Torfaen Local Nature Partnership will assist with a strategic approach to environmental and ecological management in both boroughs.

6.7 *Integration(across service areas)*

Access to a healthy natural environment has many benefits to all service areas. Integration will be driven by Environment Champions.

6.8 *Equalities Impact Assessment (screening and identifying if full impact assessment is needed)*

After a discussion with the Policy, Partnership and Engagement Manager a brief Equality Impact Assessment has been undertaken and is attached as Appendix 3.

All service area business plan objectives and actions will take into account each of the protected characteristics protected under the Equality Act 2010.

They are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Environment Champions group will be open to all and will strive to be representative of employees across the council.

7. Monitoring Arrangements

- 7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*
- 7.2 The identified objectives in service area business plans will be reported and monitored quarterly by the policy and green infrastructure teams, starting in the 2019/20 Financial Year.
- 7.3 The first report on complying with the duty must be published and submitted to Welsh Government by the end of 2019 and then every three years henceforth.
- 7.4 A report will be submitted to the ERED Scrutiny committee in the first quarter of each financial year (2020, 2021 and 2022) summarising progress and any updates on the Biodiversity and Ecosystem Resilience Forward Plan 2019-2022.

8. Background Documents /Electronic Links

- *Biodiversity and Ecosystem Resilience Forward Plan (2019-2022)*
- <http://www.legislation.gov.uk/anaw/2016/3/contents/enacted>
- <https://gov.wales/docs/desh/publications/160321-frequently-asked-questions-en.pdf>
- <https://gov.wales/docs/desh/publications/150512-biodiversity-and-resilience-of-ecosystems-duty-en.pdf>
- <https://www.wildlifetrusts.org/sites/default/files/2018-10/Nature%20and%20mental%20health%20infographic.pdf>
- <https://www.wcva.org.uk/about-us/news/2017/04/doing-your-bit-for-a-resilient-wales>

9 Glossary

- 9.1 Biodiversity - means 'biological diversity' which refers to all the variety of life on Earth (plants, animals, fungi and micro-organisms) as well as to the communities that they form and the habitats in which they live.
- 9.2 Ecosystem - dynamic network of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.
- 9.3 Ecosystem Resilience - is the ability of an ecosystem to maintain its normal patterns of nutrient cycling and biomass production after being subjected to damage caused by an ecological disturbance.