



## Report of the Director of Place

### Climate Change & Nature Recovery Service Transformation Committee – 4 March 2024

## Section 6 Biodiversity Duty Action Plan for Swansea

<b>Purpose:</b>	The purpose of this report is to seek approval of the draft Section 6 Biodiversity Duty Action Plan for Swansea. (2023-2025)
<b>Policy Framework:</b>	<ul style="list-style-type: none"><li>• Corporate priority for Climate Change &amp; Nature Recovery</li><li>• Nature Recovery Action Plan (NRAP) for Wales.</li><li>• Environment Wales Act (Section 6 Biodiversity Duty).</li><li>• Wellbeing of Future Generations Act – Resilient Wales Objective</li><li>• Local Nature Recovery Action Plan for Swansea (LNRAP)</li></ul>
<b>Consultation:</b>	Finance, Legal, Access to Services
<b>Recommendation(s):</b>	It is recommended that: -  1. The Climate and Nature Recovery Service Transformation Committee (STC) approve the draft Section 6 Biodiversity Duty Action plan for Swansea Council prior to it being forwarded to Council for adoption.
<b>Report Author:</b>	Deb Hill/ Mark Barber
<b>Finance Officer:</b>	Peter Keys
<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services Officer:</b>	Rhian Miller

### 1. Background

#### Policy background

Since 2015, Swansea Council (together with all other public bodies) has been given increased responsibilities and legal duties to maintain and enhance the natural environment and biodiversity in order to comply with the following legislation:

- 1.1. The Well-being of Future Generations (Wales) Act 2015, 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)'
- 1.2. The Environment (Wales) Act 2016 (Part 1) Section 6 Biodiversity and Resilience of Ecosystems Duty which requires that: 'A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions'.
- 1.3. Swansea Council has a legal duty to report to the Welsh Government every 3 years outlining actions undertaken to comply with the Statutory Biodiversity Duty
- 1.4. The Welsh Government has also committed to a '30x30' target, stating that they aim to protect "[at least 30% of the land and 30% of the sea in Wales by 2030](#)"
- 1.5. One of the key corporate wellbeing objectives in the Council's Corporate Plan is 'Delivering on Climate Change and Nature Recovery'.
- 1.6. Swansea Council endorsed the Swansea Local Nature Recovery Action Plan 2023 produced by the Swansea Local Nature Partnership in October 2023

## **2. Section 6 Duty Action Plan Report Overview**

- 2.1. Outside of policy drivers for Section 6 Biodiversity plans, there is also a real need for them as a tool in delivering nature recovery as we are in a nature emergency. The Senedd and Swansea Council both declared nature emergencies in 2021. Species are declining in abundance and distribution, habitats and protected sites are in poor condition and overall ecosystem resilience is poor. There is therefore the urgent need for coordinated and cohesive action at all scales to achieve nature recovery.

This draft Section 6 action plan (see link at appendix A) sets out the actions the Council proposes to take between now and December 2025 to meet its obligations under its Biodiversity Duty to maintain and enhance biodiversity and contribute to the Welsh Government's 30x 30 targets for nature recovery.

- 2.2. Actions have been set out under the six key objectives of the Nature Recovery Action Plan for Wales [Nature Recovery Action Plan \(NRAP\) for Wales](#) and the Swansea Local Nature Recovery Action Plan as set out below :

1. Engage and support participation and understanding to embed biodiversity throughout decision making at all levels.
2. Safeguard species and habitats of principal importance and improve their management.
3. Increase the resilience of our natural environment by restoring degraded habitats and habitat creation.

- 4. Tackle key pressures on species and habitats.
  - 5. Improve our evidence, understanding and monitoring.
  - 6. Put in place a framework of governance and support delivery.
- 2.3. Some of the actions listed in the Section 6 Plan are aspirational and long-term, we don't expect to complete them all by December 2025
  - 2.4. Other actions reflect day to day work already being undertaken that contribute to nature recovery.
  - 2.5. Many of the actions are dependent on, and subject to available funding and staff resources.
  - 2.6. This action plan is a living document which will be reviewed and reported on annually.

### **3 The Section 6 Action Plan has been created with:**

- feedback from Heads of Service questionnaires, group presentations /workshops with individual teams and the CC&NR Programme board, plus written feedback, and suggestions from Heads of Service.
- Key global, national, and regional legislation, policies, and plans in mind,
- The draft Section 6 Biodiversity Duty Plan was endorsed by the Climate Change and Nature Recovery Programme Board on the 15 January 2024 and by the Climate Change and Nature Recovery Steering Group on 23 January 2024.

It is intended to review progress towards achieving the actions outlined in the Action Plan on a regular (annual) basis and to report to Welsh Government every 3 years.

### **4 Next Steps**

- 4.1 This Climate Change & Nature Recovery Service Transformation Committee is asked to approve the Section 6 Biodiversity Duty Action Plan prior to it being forwarded to Council for approval.

### **5 Financial Implications**

- 5.1 There are no direct financial implications associated with this report. However, to reach the 2030 biodiversity targets, further grant funding will be required. Any bids would be subject to the Councils standard grant procedures. For the next two financial years £1,192,300 Local Places for Nature Grant has been approved by Welsh Government.

### **6 Legal Implications**

- 6.1 This Swansea Council Section 6 Biodiversity Action Plan will contribute to Swansea Council's Corporate Objective for Climate Change and Nature Recovery and its Biodiversity Duty under the Environment (Wales) Act 2016,.The Plan will also assist the Council in its Well-being Duty, especially with regard to the 'Resilient Wales Goal,' under the [Well-being of Future Generations \(Wales\) Act 2015](#).

## 7 Integrated Impact Assessment

7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

7.3 An IIA screening report was completed, and no significant risks were identified. The cumulative impacts were deemed low but positive, and as such a full IIA strategy is not deemed necessary. Screening report attached at appendix B

### Background Papers

- [Nature Recovery Action Plan for Wales 2015 and 2020/21 Update.](#)
- [Local Nature Recovery Action Plan for Swansea 2023](#)
- [South West Wales Area Statement.](#)
- [Marine Area Statement.](#)
- [Environment \(Wales\) Act 2016.](#)
- [Well-being of Future Generations \(Wales\) Act 2015.](#)
- [Strategic Plan for Biodiversity \(and the associated Aichi Biodiversity Targets for 2011-20\).](#)
- [Kunming-Montreal Global Biodiversity Framework.](#)
- [Welsh Government Biodiversity Deep Dive.](#)
- [Swansea Local Nature Partnership.](#)
- [State of Nature 2019.](#)

- [Protected Sites Baseline Assessment 2020.](#)
- [Section 7 Habitats and Species of Principal Importance.](#)

### **Appendices**

Appendix A - Draft Section 6 Biodiversity Action Plan for Swansea Council (attached)

Appendix B – IIA Screening report (attached)