

Scrutiny Natural Environment and Biodiversity Inquiry – January to July 2018

This paper outlines why there is a need to explore the Council's past and current management of the natural environment and biodiversity within the City and County of Swansea; notes the Welsh Government's recently adopted natural environment and well-being legislative framework for public bodies in Wales; and recognises that recommendations will be needed concerning how the Council conducts itself in future across a whole range of operations.

Why is this Inquiry necessary?

As is true across the whole of the planet, Nature in the UK is in steep decline. Biodiversity – the range of life forms, both plant and animal, terrestrial and marine – has suffered major losses in both numbers and habitats in recent decades. The *State of Nature 2016 report*, published by and available on the RSPB website, gives the most recent data concerning both declining and recovering species since 1970; a separate report is also published for species in Wales. These data are from a baseline that is itself the product of previous marked decline, so that even the recovery figures for some species must be considered with concern.

Species and habitat loss are generally recognised to be a consequence of ever increasing human pressures on the natural world, especially from the onset of industrialisation and subsequent urbanisation in the mid-18th century but, also, of course, from the very beginnings of *homo sapiens* and its species skills in tool making, hunting, fishing, forest clearance and agriculture.

A startling statistic is that the global human population in 1900 was c1.5 billion; it is now 7.3 billion, and expected to reach 9/10 billion by 2050. Even in 1950, the global population was c3 billion, so growth has been accelerating exponentially. All need to be fed, housed, clothed and given meaningful employment, with a consequential loss of living space – habitat – for all other species.

A further consequence of industrialisation, of course, has been the extraction of fossil fuels, principally coal, oil and natural gas (methane) for energy generation, leading to rising levels of atmospheric greenhouse gases, global warming and climate change. This development is potentially as catastrophic for wildlife as it likely will be for humans.

Swansea Council impacts in a variety of ways on the natural environment within the geographical area that it covers and, therefore, if the wider decline of biodiversity and the natural world is to be halted and reversed, we need to understand what those impacts are, especially if negative in their effects. From this better understanding, we can then move towards better practices and solutions.

Such impacts are likely to include, but not be limited to:

- the planning system and the criteria used in relation to change of use, especially where this involves the loss of green space.
- construction developments undertaken by, or involving, the Council.
- travel and transport modes.
- parks and other open green space management, including wildflower planting.
- roads and footways.
- beach management.
- urban trees and their management.
- energy systems.
- allotments and the growing of both food and ornamental plants.
- flood risk management.
- provision and management of National Nature Reserves.

This Inquiry makes a presumption that, hitherto, a culture of putting the economy and society before the natural environment has, in general, prevailed, in line with the wider UK-wide approach. We shall need to look at past examples of decisions and actions under each of these headings. The issue, of course, is how to change this culture and, hence, benefit biodiversity and the natural environment, whilst also meeting legitimate human development needs.

We need to explore ways of Working with Nature to both meet Council objectives whilst also sustaining and enhancing biodiversity and ecosystems.

WG legislation and management of the natural environment

Two pieces of recent Welsh Government legislation are central to the future role of public authorities in Wales, including Swansea Council, in defining and meeting their future responsibilities for management of the natural environment:

1. The Well-being of Future Generations (WFG) (Wales) Act 2015; and
2. The Environment (Wales) Act 2016.

The WFG Act is, first and foremost, about sustainable development – indeed, it started life as a Sustainable Development Bill, with the name change thought by WG to make it more meaningful to the general public. The Act recognises that living sustainably includes making provision for wildlife recovery, and this is made specific in the second of the seven well-being goals listed in section 4 of the Act:

‘A resilient Wales: 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)’

Section 3 (2) requires public bodies to ‘maximise’ their contributions to achieving ‘each of the well-being goals’; and to take ‘all reasonable steps (in exercising its functions) to meet this requirement. Public bodies are required to set ‘well-being objectives’ in relation to the well-being goals, with the aim of delivering each of them.

Local authorities are required under Schedule 1 of the Act to publish annually reports on the progress they have made towards meeting the well-being objectives. The Future Generations Commissioner appointed under the Act has the power to conduct a review into the extent to which a public body is ‘safeguarding the ability of future generations to meet their needs’ (section 20 (1)); this, of course, includes delivery of the requirement under the well-being goal for A resilient Wales’.

A resilient Wales, therefore, requires the Council not only to ‘have regard’ to biodiversity in the exercise of its functions (NERC Act 2006), but to take positive steps to maintain and enhance biodiversity, ie a pro-active approach in everything that it does.

The Environment Act builds upon A resilient Wales. Section 6 of the Act, under the heading of ‘Biodiversity and resilience of ecosystems duty’, states (sub-section (1)) that ‘A public authority must seek to maintain and enhance biodiversity in the exercise of its functions...and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions’. Sub-section (2) of the section spells out that public authorities ‘must take account of the resilience of ecosystems’, in particular:

- diversity between and within ecosystems.
- the connections between and within ecosystems.
- the scale of ecosystems.
- the condition of ecosystems (including their structure and functioning).
- the adaptability of ecosystems.

Sub-section (7) states that, before the end of 2019, and every third year thereafter, a public authority ‘must...publish a report on what it has done to comply with sub-section (1).

In summary, therefore, the Act requires the Council to show by the end of 2019 what it has done to maintain and enhance biodiversity in the exercise of its functions, ie it can no longer simply ignore negative environmental impacts should they be inconvenient. This suggests a much bigger role for the Nature Conservation Team in the everyday conduct of the Council’s business, insofar as such conduct impacts upon biodiversity and ecosystems.

Inquiry recommendations

Clearly, recommendations from the Inquiry will follow from its research and findings, but the likelihood is for a change of operating culture towards giving the natural environment a greater prominence than hitherto. This culture change will need to be expressed in the form of specific activity-related recommendations, that the Council can then take on board and apply.

It is recognised that many relevant activities affecting the natural environment are undertaken by other bodies outside of the Council's control. However, the Council can influence the behaviour of others, by example, by clear statements of policy, by procurement decisions and criteria and, of course, through a more sustainable exercise of its planning role.

How will the Inquiry be conducted?

Many of us are new to the Inquiry process and will need initial guidance from Scrutiny officers. However, it is suggested that we shall need to seek information and inputs from, *inter alia*:

- relevant Council officers.
- outside environmental bodies, including NRW and NGOs (egs RSPB, Wildlife Trusts, National Trust).
- Swansea Environmental Forum.
- The wider Swansea public.

The following documents are likely, *inter alia*, to prove necessary and/or useful:

- The Nature Recovery Plan for Wales 2015.
- Green Infrastructure – WTW report 2017.
- The State of Nature Report (Wales) 2016.
- The State of Natural Resources Report (SoNaRR) 2016.
- The Swansea PSB local well-being plan 2018.
- The Council Corporate Plan 2017.

I would also recommend Tony Juniper's little book 'What Nature Does For Britain' (2015), published by Profile Books.

Peter Jones
January 2018.