



## Report of the Director of Place

Scrutiny Panel (25<sup>th</sup> September 2019)

# The Council's role in Maintaining and Enhancing Biodiversity - an Overview

<b>Purpose:</b>	To provide an overview of Swansea's biodiversity resource and the actions we are taking to meet the Council's statutory duties for biodiversity in particular since the introduction of the Well Being of Future Generations Act (2015) and the Environment (Wales) Act 2016.
<b>Content:</b>	Report on biodiversity for the Panel to consider
<b>Councillors are being asked to:</b>	Note the information provided in the report and accompanying presentation.
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## 1. Background

### 1.1 Our Biodiversity Resource

- Swansea is one of the most ecologically rich and diverse counties in the UK with over 50% of the County's area being of significant biodiversity value including 17% of international importance. Its unique variety of habitats and species and wonderful range of parks, greenspaces, nature reserves, beaches and landscapes needs to be maintained, enhanced and sustainably managed for the benefit of everyone now and into the future.

- More detailed information about biodiversity in Swansea is provided in the Local Biodiversity Action Plan (LBAP) which is currently under review and will become the Nature Recovery Action Plan for Swansea.  
<https://www.swansea.gov.uk/article/10113/Swansea-Local-Biodiversity-Action-Plan>
- Our well-being, prosperity, quality of life and future survival is dependent on a healthy resilient natural environment and the multiple benefits (ecosystem services) it provides to society.

## **1.2 The Challenges We Face**

- Our natural environment and biodiversity is under threat and in decline due to unsustainable human activities. Habitats and species are being lost at an alarming and unsustainable rate. We need to halt and reverse the loss of biodiversity so that its contribution to Swansea's environmental, economic and social well-being is not lost or reduced.
- We urgently need to tackle climate change by reducing our use of carbon and by maintaining and enhancing resilient ecosystems and a strong green infrastructure network to help us mitigate for and adapt to the pressures of climate change.
- We need everyone to understand and appreciate the unique value and fragility of Swansea's outstanding natural environment and to play their part in looking after and enhancing it.
- We need to embed the responsibility for maintaining and enhancing biodiversity across all Council services, and work more collaboratively and effectively with our partners to address the challenges we face.

## **1.3 The Legislative Framework,**

- Since 2015, Swansea Council has been given increased responsibilities, legal duties and expectations to maintain and enhance its natural environment and biodiversity as a result of the following:

### **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)'*

### **The Environment (Wales) Act 2016 (Part 1) Section 6 Biodiversity and Resilience of Ecosystems Duty:**

*'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'*

In complying with the duty, Local Authorities must prepare and submit to Welsh Government by the end of 2019 a report (Section 6 Plan) outlining what it has done to comply with the duty, and then every three years after this date.

- The Council also has an important role to play in collaborating with its other Public Services Board partners to agree and deliver actions which contribute to achieving this priority.  
**Swansea Public Services Board Well-being Plan - Working with Nature Objective:**  
*'We want to work with nature to improve health and well-being, maintain and enhance biodiversity, reduce our carbon footprint and improve our knowledge and understanding of our natural environment'*
- In addition there are a number of natural environment actions to deliver in relation to the Natural Environment Scrutiny Inquiry recommendations, and the Council's Policy Commitments.

For further details regarding the legislative and policy requirements see Appendix 1

#### **1.4 Our Ambition**

- We aim to halt and reverse the loss of biodiversity through reducing harm and unsustainable use and moving to a situation where we are working with nature to maintain healthy resilient ecosystems that will continue to provide long-term quality of life (or ecosystem services) benefits upon which we all depend.
- We aim to work with nature to reduce our carbon footprint and to mitigate for and adapt to the likely risks and impacts of climate change.
- We aim to create a greener more sustainable, ecologically diverse and resilient County, where its unique natural environment is recognised as one of its most valued and distinctive assets.
- We aim to reduce inequalities in health and well-being by maintaining and enhancing an ecologically diverse, high quality and accessible natural environment across the whole County so that everyone can have access to and benefit from the natural environment.

#### **1.5 The Steps Taken So Far**

- Since the introduction of the Well Being of Future Generations (WFG) Act 2015 and Environment (Wales) Act 2016 many actions have been undertaken by the Council at both a strategic and operational level to maintain and enhance biodiversity and the resilience of ecosystems.
- Between April 2018 and March 2019 a Scrutiny Inquiry into 'What should Swansea Council do to maintain and enhance its natural environment and biodiversity, and in so doing promote the resilience of eco-systems' investigated how the Council was meeting its Biodiversity and Resilience of Ecosystems Duties under the Environment (Wales) Act and the Well Being of Future Generations Act 2015. The Inquiry made a number of recommendations which were considered by Cabinet in July 2019. A progress report on addressing these recommendations is included with the meeting papers.

- In October 2018 a new corporate objective for ‘Maintaining and enhancing our Natural Resources and Biodiversity’ was added into the Council’s Corporate Plan. A copy of the Corporate Objective is included with the meeting papers.
- The Corporate Objective outlines 17 initial steps or actions that need to be delivered. These actions form the basis of the Council’s first Section 6 Biodiversity Action Plan.
- Since the adoption of the new Corporate Objective for ‘Maintaining and Enhancing our Natural Resources and Biodiversity’ a Corporate Biodiversity Officer Working Group has been set up to help review, monitor and report on progress in delivering the steps /actions listed under the Council’s Corporate Biodiversity Objective and its Section 6 Biodiversity Duty Action Plan. This group will also help to ensure that biodiversity is integrated into daily business operations and provide a vehicle for awareness raising and capacity building; cascading information and best practice to all service delivery teams and for exploring and testing new approaches to delivering the Sustainable Management of Natural Resources. The terms of reference for the officer working group which is chaired by the Director of Place are attached as Appendix 2 .
- An initial annual report on the Corporate Objective has been prepared as part of the Council’s business planning and reporting process. Many of the initiatives and actions outlined in the Corporate Plan annual report will form the basis of our Section 6 Biodiversity Duty tri-annual statutory monitoring report to Welsh Government in December 2019. A draft copy of this report is provided as Appendix 3

## **1.6 Next Steps**

- The next task for the Biodiversity Officer Working Group is to review and update the Corporate Objective and the Section 6 plan for the next 3 years (to December 2022). Key actions will include:
  - Continue to identify and secure additional resources to help with Action Plan delivery
  - Promote greater awareness of the Action Plan across the Council through training and use of digital media
  - Develop, adopt and deliver a Green Infrastructure Plan for the County
  - Develop, adopt and deliver a Local Nature Recovery Action Plan in collaboration with Local Nature Partnership members
  - Continue to deliver the recommendations of the Natural Environment Scrutiny Inquiry

## **4. Legal Implications**

4.1 The Council must comply with the statutory obligations for biodiversity and natural resource management contained in the Well Being of Future Generations Act 2015 and the Environment (Wales) Act 2016 as detailed in this report.

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## **5. Financial Implications**

5.1 There are no financial implications.

### **Background papers:**

Well Being of Future Generations (WBFG) Act 2015

Environment (Wales) Act 2016

Swansea Council Corporate Plan 2018-2022

Swansea Public Services Board Local Well Being Plan

### **Appendices:**

Appendix 1: New Legislative and Policy Framework

Appendix 2: Corporate Biodiversity Working Group Terms of Reference

Appendix 3: Draft Corporate Plan Annual Report (extract)

## Appendix 1 –New Legislative and Policy Framework

### 1.1 Well-being of Future Generations (Wales) Act 2015, Resilient Wales Goal

#### 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)’.**

Published well-being objectives and statements about them under the WFG Act must set out how biodiversity will be maintained and enhanced, and how in so doing the resilience of ecosystems will be promoted.

The Future Generations Commissioner may conduct a review into the extent to which a public body is safeguarding the ability of future generations to meet their needs, with reference to each of the well-being goals in section 4 of the WFG Act. This will be done with reference to the public body’s well-being objectives, including for natural resources and biodiversity.

### 1.2 The Environment (Wales) Act 2016 (Part 1) Section 6 Biodiversity and Resilience of Ecosystems Duty

The Biodiversity and Resilience of Ecosystems Duty applies to all public bodies, LA’s, Community Councils, Police, and Health Authority etc.

The Section 6 duty 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’.**

In complying with the duty a public authority:

i). Must take account of the resilience of ecosystems, in particular the following aspects—

- the 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.

ii) 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 activities.

iii) Must prepare, publish and submit to Welsh Government a plan setting out what they propose to do to maintain and enhance biodiversity, and promote resilience.

iv) Prepare and submit to Welsh Government a report on what the public authority has done to comply with the duty by the end of 2019 and then every three years after this date.

v) Must have regard to:

- The section 7 list of habitats and species of principal importance for Wales
- The State of Natural Resources Report (SoNaRR), 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.

vi) In addition, local authorities should take account of The Nature Recovery Action Plan for Wales (NRAP), overseen by the Welsh Government and the Wales Biodiversity Partnership, and published in December 2015. This is the national biodiversity strategy and action plan required under the Convention on Biological Diversity to reverse the decline of biodiversity in Wales.

The Section 6 Plan should consist of a statement of what the public authority will do to maintain and enhance biodiversity across all of its functions, and in so doing promote the resilience of ecosystems. This statement should be embedded within any corporate and /or business planning document.

The Plan should also include the steps that will be taken to fulfil this commitment across each of the functions of the organisation. These steps should, as far as possible, be guided by the six objectives of the Nature Recovery Action Plan for Wales, which are:

Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels

Objective 2: Safeguard species and habitats of principal importance and improve their management

Objective 3: Increase the resilience\* of our natural environment by restoring degraded habitats and habitat creation

Objective 4: Tackle key pressures on species and habitats

Objective 5: Improve our evidence, understanding and monitoring

Objective 6: Put in place a framework of governance and support for delivery.

### **1. 3 Swansea Public Services Board Well- being Plan - Working with Nature priority 'We want to work with nature to improve health and well-being, maintain and enhance biodiversity, reduce our carbon footprint and improve our knowledge and understanding of our natural environment'**

The Council has an important role to play in collaborating with its other Public Services Board Partners to agree and deliver actions which contribute to achieving this priority.

#### **1.4 Swansea Corporate Plan 2018-2022**

In October 2018, Swansea Council adopted an additional new corporate well-being objective in its Corporate Plan :

#### **‘Maintaining and enhancing Swansea’s Natural Resources and Biodiversity.’**

A number of initial actions/ steps have been identified against this objective .Progress is monitored and reported on a quarterly basis.

#### **1.5 Scrutiny Inquiry Report: Natural Environment**

In April 2018, a Council Scrutiny Panel commenced an inquiry into ‘ What should Swansea Council do to maintain and enhance its natural environment and biodiversity and, in so doing, promote the resilience of eco-systems?’

After an intensive eleven -month inquiry, a number of recommendations were made to Cabinet which are in the process of being actioned

<https://democracy.swansea.gov.uk/ieListDocuments.aspx?CIId=124&MIId=8501&Ver=4&LL=0>

#### **1.6 Policy Commitments**

A number of the Council’s policy commitments relate to valuing the County’s natural environment:

*21. Put sustainable development at the heart of all our policies and value and seek to protect Swansea's unique natural and built environment.*

*42 Enhance and sustain our parks and natural habitats for the present and future generations by re-greening our communities and investing in wildflower displays across Swansea.*

*45. Together with public and private partners seek to develop ‘Green Infrastructure’ in our buildings and estates.*



## **Appendix 2: Corporate Biodiversity Working Group Terms of Reference**

1. To ensure that the Local Authority is complying with its Legal and Statutory responsibilities for Biodiversity and the Natural Environment.
2. To raise awareness of the importance of the Natural Environment and biodiversity of the County and the ecosystem services it provides.
3. To identify opportunities and actions within each relevant Service Area to maintain and enhance biodiversity
4. To develop, support, monitor and review the Council's Section 6 Biodiversity Plan
5. To Identify and address in-house needs for ecological training and/or advisory support
6. To explore opportunities for collaborative cross-service initiatives/projects that deliver nature based solutions, biodiversity gain and other benefits.
7. To identify opportunities for maximising effective use of resources to deliver biodiversity enhancements.
8. To promote and publicise best practice and local initiatives
9. To provide a mechanism for monitoring and reporting progress in delivery of the Resilient Wales Well Being Goal and the Section 6 duty to the Council, Welsh Government and the Future Generations Commissioner for Wales
10. To identify, monitor and report on agreed indicators and PIs for the corporate well-being objective
11. To meet quarterly, in accordance with the time-frame for reporting progress via the quarterly Corporate Plan reporting cycle, annual Wellbeing Plan cycle and triennial Welsh Government Section 6 Duty reporting cycle and other policy commitments
12. To establish what we are already doing towards the Section 6 duty
13. To explore what we should do more of to improve delivery of our Section 6 duty in future
14. To explore what we should stop doing /where are the key areas of conflict and issues between corporate priorities and service responsibilities/duties
15. To embed the Section 6 Duty into Council decision making and business planning
16. To inform the content, and review of the Section 6 Action Plan and the Section 6 Monitoring reports
17. To engage wider stakeholders, seek expert advice and share best practice from elsewhere.

## Appendix 3: Draft Corporate Plan Annual Report (extract)

### Maintaining and enhancing Swansea's Natural Resources and Biodiversity

#### 1. Progress taking steps to meet this Well-being Objective – what worked

*As a new priority adopted mid-year in October 2018, success is measured not only via performance outputs delivered in 2018/19 but by the work undertaken and distance travelled to enable the Council to report on future success. The Corporate Plan states that formal reporting is to commence in 2019/20.*

#### A Corporate Biodiversity Action Plan.

- The development of governance and frameworks to support the preparation of a three-year Corporate Biodiversity Action Plan to be adopted in December 2019 has begun. This plan will seek to halt the loss of biodiversity, promote healthy resilient ecosystems and strengthen green infrastructure to facilitate adaptation and mitigation for the impacts of climate change. It will ensure that our natural environment together with the benefits and services it provides are protected for the benefit of existing and future generations.
- A corporate Biodiversity Working Group has been established to coordinate, implement, monitor and review the three year Action Plan. This builds on the substantial work already undertaken across the organisation to care for our environment and will enable all Council Services to be increasingly ambitious in the way they engage with our natural resources in future.

#### Green Infrastructure Strategy

- Green infrastructure includes all the green space, soil, vegetation and water that make our cities liveable. We have been developing a Green Infrastructure Strategy for Swansea Central city centre project which will create, connect and improve areas of green space making the city more biodiverse and resilient to the impacts of climate change and enhancing nature. Improving the multi-functionality and connectivity of urban green spaces helps improve the health and well-being of both people and wildlife. Greening the City Centre will also improve prosperity by encouraging visitors to stay longer and enjoy the city centre's offer.
- A Green Space Factor Toolkit is being developed which will help developers maximise the quality of their green impact; for example, by designing in green walls and green roofs. The tool is designed to measure permeability so can be used to help schemes meet new statutory Sustainable Drainage Systems (SuDS) standards.
- The vision and strategy is informed by the voices of City Centre residents and users, including those of the next generation. Several stakeholder involvement events and public consultation activities have taken place with our partners in the public, private and third sector. Over 600 face to face conversations were held with members of the public in the Swansea Central Area to develop the strategy's vision.
- Work has begun on a county wide green infrastructure strategy, which will be prepared in parallel with Green infrastructure Supplementary Planning Guidance (SPG) to maximise the maintenance and enhancement of Green Infrastructure through the planning process.
- Practical outcomes have also been delivered and several green infrastructure demonstration projects have taken place. These include urban tree planting schemes undertaken in partnership with Trees for

Cities. Multi-functional Green Infrastructure enhancements include access improvements, tree planting and wildflowers displays undertaken at Brynmelyn Park, Mayhill Washing Ponds and land at Ysgubor Fach and Llangyfelach. Swansea Environmental Forum's Swansea Community Green Spaces project has continued to support communities to improve and manage local green spaces.

## Council Tree Policy

- A Council Tree Policy is in the process of being drafted, which will set out how the Council will manage and maintain its own trees, protected trees and trees in private ownership. The aim of this tree policy is to: maintain and expand tree cover; raise awareness of the value of trees; ensure risks from trees are adequately managed; conserve trees of value and ensure that the Council meets its biodiversity duties in respect of trees. The Council has 900 woodlands and woodland groups that contain an estimated 250,000 trees and 38,000 individual trees mapped and surveyed in Parks, Schools, Cemeteries, Housing Land & Highways.
- Importantly, in addition to the compliance expected of Council services, the policy also raises awareness of the rights and responsibilities of the public and encouraging "ownership" of the planting and management of trees. The tree policy aligns with the Local Development Plan's policy to protect trees and encourage planting. It explicitly includes the planting of trees in the creation of linkages between existing habitats and in the creation of 'Place' especially where new neighbourhoods are developed.
- In addition to providing a register of tree loss/gain on Council owned land, future work involves the mapping of suitable areas for tree planting on council land and the setting of targets for planting.

## Urban Tree Cover Initiatives

- Approximately 18.8% of the County is covered by tree canopy compared to a national average of 16.8%. Tree canopy cover in the urban areas of Swansea is 19.8% (based on Natural Resources Wales figures). The Council has worked to improve enforcement procedures against wildlife crime and for illegal felling/felling of trees subject to a Tree Protection Order. It has also lobbied for greater penalties for illegal felling of trees.
- A substantial number of trees are likely to be felled over the next few years due to Ash Dieback – a disease that destroys ash trees and for which there is no cure. This means the planting of new trees becomes increasingly important. The Council works closely with partners such as Glastir and Coeden Fach, a local, not for profit nursery, where volunteers help nurture indigenous trees. It has also supported the planting of trees through partnerships working with Swansea Tree Forums, Coed Cymru the Woodland Trust, Trees for Cities and others.
- A green artery is being created in the City Centre with several green, tree lined spaces integrated within development plans for the city. The redevelopment of the Kingsway has seen the planting of the first of 170 new trees. They include alder, birch, cherry, lime, maples, flowering pears, snowy mespilus, katsura and Persian ironwood. The Kingsway programme is seeing around 50 existing trees retained - aided by the removal of some paving around trees in Orchard Street - and around 50 removed. Some of the timber from the felled trees is being donated to artists and social enterprises.
- All city centre planting will incorporate root protection to stop roots disrupting the pathways and roads that might otherwise result in trip hazards. Trees have been planted in specially designed tree pits with root containment systems so they mature without damaging underground infrastructure or pavements.

- Previous city centre tree planting projects such as the Boulevard and Westway have seen the Council introduce significantly more street trees and greenery than were previously present. This has created an attractive streetscene and is encouraging greater biodiversity.

### **Case Study 1: Case Study 2: Collaborative Biodiversity Project**

**Swansea Council and environmental group Swansea Trees are working together on a plan to boost the city's biodiversity in response to the building of the city's digital arena.** The plan will help mitigate for removal of trees which stand on the existing LC car park where the arena and associated facilities such as a coastal parkland will soon be constructed. The structure of the new sustainable environmental programme has been created by Council officers with input from group members and UK charity The Woodland Trust with which the group is collaborating. Other interested parties will also be invited to influence the development and rollout of the programme. Swansea Trees recently accepted the Woodland Trust's 2018 Street Trees Community Action Award. This recognised how the group had protected and celebrated the trees on their city streets, educated the public about trees and increased their appreciation, as well as engaging with the Council to establish a positive working relationship. The Arena project includes creating new parkland, new green areas, planting hundreds more trees and a huge re-greening of our city centre. This approach will increase and improve tree canopy levels in Swansea. It will also encourage more people to get involved in making Swansea the greenest city in Wales.

### **Mapping Ecosystem Services and Green Infrastructure Opportunities**

- The Council has embarked on a collaborative project with Natural Resources Wales, Neath Port Talbot and Bridgend Councils and Public Health Wales to map existing green infrastructure resources and identify priority areas for improvement. Initial ecosystem mapping work has been funded by a Welsh Government Grant. This has enabled work to commence on a high level map of the County's existing ecosystem services and the identification of potential opportunities, deficiencies and constraints.
- A process of developing ecosystem services provision and biodiversity maps at a ward level to identify opportunities for enhancement has begun. The production of further 'Wild About Your Ward' maps will be undertaken with funding from Welsh Government's EnRAW scheme.
- Opportunities to benefit from the natural environment have included a formal application to the International Dark Sky Association (IDA) for Gower Area of Outstanding Natural Beauty to become a 'Dark Sky Community'. Grant funding has been secured through Natural Resources Wales and the Gower Society. The Council is also partnering on a research project with Swansea University relating to understanding the importance of greenspace for mental health.
- Swansea Council has been part of Welsh Government Working Group that led to the introduction of new Sustainable Drainage Systems (SuDS) in January 2019. Resilience planning particularly in relation to adverse weather and flooding is looking to support innovative green solutions working with Welsh Water, developers and the Council's Ecologist.

### **Biodiversity Audit of Our Corporate Assets and Effective Management**

- A scheme of work is being planned to review all council assets in terms of biodiversity. Actions include a review of all Council owned Sites of Importance for Nature Conservation (SINCs), a survey of land

identified for disposal, a review of grazing plans and an biodiversity and ecosystem services audit of all Council owned estates land.

- We continue to monitor and survey the Council's biodiversity resource to improve our evidence base and understanding of the benefits. Farm and business tenancy agreements are being updated to ensure the biodiversity value of land is recognised and safeguarded. Some Service areas have started to consider biodiversity opportunities each year as an integral part of delivery of capital investment priorities.

### Enhancing Biodiversity and Improving Ecological Connectivity.

- The Local Biodiversity Action Plan is under review by the Local Nature Partnership and will become the Local Nature Recovery Action Plan. We are also working with Education to support schools to enhance their grounds for biodiversity. Services across the Council, such as housing and highways, are beginning to work collaboratively to identify pilot initiatives which connect nature. We involve and support the local community to participate in identifying and delivering initiatives that maintain and enhance the natural environment. The resilience of our natural environment is increased by restoring degraded habitats and through habitat creation and linkages. We are working in a joined-up way with partners, including councillors and businesses, to develop a strategy to ensure ecological connectivity and to improve biodiversity. Practical examples include the creation of verge habitats and wildlife corridors by reducing and carefully timing verge cutting and by substantially increasing uncut areas.

#### **Case Study 2: The Gower Hedgerow Hub**

**The Council has received a £40,000 grant from Natural Resources Wales which will be used to develop a 'Gower Hedgerow Hub'.** The hub will include the Council and National Trust, along with the West Gower Ploughing and Hedge laying Society, landowners and farmers, looking at how to maintain hedgerows and keep them healthy. Organisations including the YMCA are also being included to help identify young people who could train as volunteers and pick up essential hedgerow management skills. Hedgerows serve a number of vital roles in rural areas - as well as providing natural boundaries between farms and other land, they also provide an essential network for animals and insects to travel and feed. Hedgerows are a very important feature of Gower and are absolutely crucial for supporting insect-life, birdlife and other wildlife that makes use of hedgerows as a means of getting about and finding food.