



## Report of the Cabinet Member for Corporate Service & Performance

Cabinet – 15 December 2022

# Swansea Council Section 6 Biodiversity Duty Monitoring Report to Welsh Government December 2022

<b>Purpose:</b>	To approve the Council's Environment (Wales) Act Biodiversity Duty Section 6 Monitoring Report for the period January 2020 – December 2022 prior to submission to Welsh Government.
<b>Policy Framework:</b>	Environment (Wales) Act 2016 - Biodiversity Duty. Well Being of Future Generations Act 2015 - Resilient Wales Goal. Corporate priority for 'Delivering on Nature Recovery and Climate Change'. Swansea Local Biodiversity Action Plan (2005). Emerging Local Nature Recovery Action Plan (2022). Central Area Green Infrastructure Strategy (2022)
<b>Consultation:</b>	Access to Services, Finance, Legal, Climate Change CDC.
<b>Recommendation(s):</b>	It is recommended that:  1) The report be approved, published on the Council's web site and forwarded to Welsh Government.
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## **1. Introduction**

- 1.1 A requirement of the Environment (Wales) Act 2016 is that the Council must submit regular reports (every 3 years) to Welsh Government outlining what it has done to comply with its Section 6 Biodiversity Duty, this is termed the Section 6 Biodiversity Duty Monitoring Report. The first report was submitted in December 2019, and the next is due in December 2022.
- 1.2 The Council's second Section 6 Biodiversity Duty Monitoring Report to Welsh Government is attached (Appendix1). It outlines the processes we have put in place and the activities we have undertaken at both a strategic and operational level over the past 3 years to meet our Section 6 Biodiversity Duty.
- 1.3 Following information provided by colleagues across the Council, the report incorporates actions undertaken by a wide range of service areas.
- 1.4 In accordance with Welsh Government guidance, the format of the Section 6 report shows how the Council has contributed to 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.
- 1.5 An overview of some of the key actions included in the report is given below.

## **2. Key Progress made, and Outcomes achieved over the last 3 years**

- 2.1 Following the declaration of a Climate Emergency in 2019, the Council declared a Nature Emergency in November 2021. External partners and community organisations are now being encouraged to sign up to a Climate and Nature Charter.
- 2.2 The previous corporate objective for 'Maintaining and enhancing Swansea's Natural Resources and Biodiversity' was recently updated to 'Delivering on Nature Recovery and Climate Change'. It outlines a number of key actions including the preparation of a Section 6 Action Plan for the next 3 years (Jan 2023-Dec 2025) and the planting of more trees.

- 2.3 An enhanced governance structure has been put in place to drive forward and monitor progress in delivering the new Corporate Objective. This includes the establishment of a new Steering Group for Climate and Nature chaired jointly by the Cabinet members for Climate Change and Nature Recovery respectively.
- 2.4 Following the 2022 local government elections, a new Biodiversity Champion has been appointed
- 2.5 Work has commenced on the preparation of the Local Nature Recovery Action Plan for Swansea in collaboration with the Swansea Local Nature Partnership
- 2.6 Following extensive engagement activity, the Swansea Central Area Green Infrastructure Strategy: 'Regenerating our City for Wellbeing and Wildlife' was formally adopted in February 2021. Work is now progressing on a Countywide Green Infrastructure Strategy.
- 2.7 Biodiversity and Development Supplementary Planning Guidance (SPG) was adopted in February 2021. This SPG specifically focuses on how the Council will follow a "stepwise approach" to implementing the biodiversity duty through its own planning decision making process. This has been complemented by a Trees, Hedgerows and Woodlands SPG adopted in October 2021.
- 2.8 The requirement for biodiversity conservation and enhancement has also been included in the following SPGs which have been adopted over the past year:
- Gower Area of Outstanding Natural Beauty (AONB) Design Guide
  - Placemaking Guidance for Residential Development
  - Placemaking Guidance for Infill and Backland Developments
  - Placemaking Guidance for Householder Developments
- 2.9 Since 2020 the Council has committed to increasing staff capacity for Nature Recovery in the following ways:
- In June 2021 a part-time permanent Biodiversity Officer was employed based in the Nature Conservation Team to help implement the Section 6 duty.
  - Also in June 2021, an additional full time permanent Planning Ecologist was employed based in the Nature Conservation Team.
  - In July 2021 The Gower AONB Team employed a full time Communities and Nature Project Officer and this role was made permanent in Feb 2022.
  - In April 2022 two part-time Local Nature Partnership Coordinators were made permanent on a job share arrangement within the Nature Conservation Team.
  - In May 2022 two full-time Community Greenspace Officers; a full-time Volunteer Co-ordinator; and a Woodland Officer (shared part

time with Neath Port Talbot Council) were appointed to the Nature Conservation Team through Welsh Government grant funding on fixed term until June 2023.

- In May 2022 a permanent full time Strategic Climate Change Project Manager was employed based in the Property Services Team

2.10 Partnership and collaborative working, volunteering and positive actions for biodiversity have been greatly increased since the appointment of these new staff. Combined with external funding, primarily through Welsh Government and Natural Resources Wales, this has enabled the delivery of many practical nature recovery actions including:

- New ways of managing and improving wildlife sites and green spaces
- Increased community engagement and volunteering in nature recovery
- Purchase of cut and collect machinery to enable the management and enhancement of amenity grassland and highway verges to increase create species rich wildflowers for pollinators
- New tree planting
- New Green Infrastructure interventions such as green roofs and green walls, and
- A swift conservation project

### **3. Integrated Impact Assessment Implications**

3.1 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.

3.1.1 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'.

- 3.1.2 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.
- 3.2 In order to comply with the relevant regulations an Integrated Impact Assessment (IIA) process has been applied to the report's subject.
- 3.3 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required:
  - The Section 6 Biodiversity duty is still in its early stages of implementation in the Council and actions to date over the last three years of its implementation have had primarily low positive impact. However, as the duty becomes more embedded in decision making and the exercise of functions, the positive impact will increase for the benefit of all individuals and communities in Swansea.
  - Many Service areas have contributed to meeting this Duty in a way that is proportional to their normal exercise of functions and have provided feedback on the actions that they have been able to deliver.
  - Activities delivered under his Duty have also helped to contribute to the Well-being of Future Generations goals, in particular the Resilient Wales Goal which envisages "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)".
  - There are no risks associated with this report – the only risk would be failing to submit it to Welsh Government within the reporting period.
  - The cumulative impact of the Council's actions on people and communities in meeting its Section 6 Biodiversity Duty over the past 3 years have been positive and will become increasingly so over time.

#### **4. Financial Implications**

- 4.1 There are no financial implications associated with this report.

#### **5. Legal Implications**

- 5.1 The Council must comply with the statutory obligations for nature recovery, biodiversity and natural resource management contained in the Well Being of Future Generations Act 2015 and the Environment (Wales) Act 2016.

**Background Papers:** Swansea Council Corporate Plan. Objective -Delivering on Nature Recovery and Climate Change-  
<https://www.swansea.gov.uk/corporateimprovementplan>

**Appendices:**

Appendix 1 - Section 6 Biodiversity Duty Monitoring Report 2022 for Welsh Government

Appendix 2 - IIA Screening Form