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Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

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Councillor Peter Jones
Natural Environment Scrutiny Performance Panel
Swansea Council

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23 October 2019

Dear Cllr Jones

Thank you for your letter of 4 October, regarding funding for work relating to the natural environment and deterrents for biodiversity damage in legislation.

I agree that biodiversity loss is an emergency and should be treated as such. I also agree that awareness raising is important and this is reflected by one of the primary objectives of our Nature Recovery Action Plan, to improve understanding and raise awareness of biodiversity.

Integrating biodiversity into decision-making at all levels is key to delivering biodiversity action so I am very pleased and encouraged to see Swansea Council have included biodiversity as one of their priorities within their Corporate Plan. This represents part of the cultural change that is needed if we are to reverse the decline of biodiversity and I look forward to seeing how action is taken across the Authority.

This integration or embedding approach that we are encouraging is part of the legislative requirements under section 6 the Environmental (Wales) Act, the biodiversity and resilience of ecosystems duty. Actions for biodiversity under the duty will be delivered through the existing functions of public authorities.

As an example, I would hope the Swansea City Deal can provide funding and resourcing for biodiversity through its green infrastructure strategy, as you highlighted when the then Minister for Environment, Hannah Blythyn, visited in November last year. Greenspace and green infrastructure has been shown to be cost effective in improving well-being, and saving health services costs through removing air pollution and encouraging physical activity.

Biodiversity action can also be funded indirectly through the section 6 duty. Where public authorities offer grants for whatever purpose, the biodiversity duty should be cascaded through the funding criteria, requiring applicants to include actions that will benefit biodiversity.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Some biodiversity actions could also have a positive resource implication, such as changes to mowing regimes to encourage wild flowers that reduce the frequency of cuts.

Outside of these legislative obligations, our current approach to providing financial support focuses on delivering activity and outcomes in line with Welsh Government policy priorities, rather than providing funding for specific posts within organisations. Funding for the natural environment is available through our environmental grant schemes which includes the Enabling Natural Resources and Well-being grant. Awards that will benefit Swansea include the Local Nature Partnerships Cymru project which will fund a part time LNP officer and provide £7000 annually for projects. Another successful application was *Biophilic Wales* who were awarded £977,493 for a collaborative project which includes Swansea University and the Swansea University Bay Health Board.

I am also pleased to note that projects in Swansea have been successful with applications to the Landfill Disposals Tax Community Scheme, one of which is your Council's project, *Swansea Vale Wetland Nature Reserve* which was awarded the sum of £48,944.35.

With regard your concerns about the sanctions available, a key aspect of our environmental legislation and policy, such as the Nature Recovery Action Plan and the section 6 duty, is a positive, collaborative and partnership based approach. For example, the latest edition of Planning Policy Wales, provides specific guidance for Local Planning Authorities on implementing the s6 duty, to move away from the 'damage and mitigate' effect of development, to one of working with nature, to maintain and enhance the biodiversity value on development sites.

We will be evaluating the implementation of the section 6 duty by public authorities following the first reporting round at the end of this year.

Notwithstanding this, there are penalties available in appropriate circumstances to enforce breaches of environmental legislation. I am very pleased to see the successful action that Swansea Council has taken against the cutting down of trees in Penllergaer Woods in breach of a Tree Preservation Order. Other legislative options include the Wildlife and Countryside Act (1981) which sets out offences in order to protect wild birds, protected animals and wild plant species.

I am very proud of the work we are doing in Wales to embed biodiversity into our policies and delivery to support resilient ecosystems and our well-being. However, much still needs to be done and we are looking at ways to increase these ambitions, including budget opportunities. The refreshed Nature Recovery Action Plan due at the end of the year, will set out actions to develop initiatives across Government and the wider Welsh nation, recognising the value we must place on our biodiversity and ecosystems.

*Yours sincerely
Lesley Griffiths*

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