

Report to: Partnerships Scrutiny Committee

Date of Meeting: 11th July, 2019

Lead Member/Officer: Cabinet Lead Member for Housing and Communities/Head of Highways and Environment

Report Author: Ecology Officer

Title: Biodiversity Duty Delivery Plan

1. What is the report about?

As a public body, Denbighshire County Council have statutory duties under the Environment (Wales) Act (2016). Section 6 of this legislation requires us to seek to maintain and enhance biodiversity when carrying out their responsibilities and in doing so promote the resilience of ecosystems. Furthermore, we are required to prepare and publish a plan outlining how we intend to fulfil the duty. The Biodiversity Duty Delivery Plan (BDDP) is the subject of this report. The BDDP provides specific details on how, as an organisation, we plan to meet our obligations and make a genuine difference to the protection and enhancement of biodiversity within Denbighshire. The plan and a progress report must be published by the end of 2019. The BDDP can be seen in Appendix 1.

2. What is the reason for making this report?

To provide information regarding Denbighshire County Council's BDDP. The BDDP prescribes a number of actions for Services across the Authority. It is currently at 'consultation' stage and as part of that consultation, Scrutiny are invited to comment before it is presented to Cabinet with a request for endorsement.

3. What are the Recommendations?

It is recommended that the Committee:

- a) Confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration; and
- b) Highlights any amendments it would like to see made before the BDDP is presented to Cabinet with a request for endorsement.

4. Report details

Section 6 of the Environment (Wales) Act, 2016 requires all public authorities to “*seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems*”. To comply with the section 6 duty public authorities must 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. Public authorities must prepare and publish a plan setting out what they propose to do to maintain and enhance biodiversity, and promote ecosystem resilience.

Denbighshire County Council's Draft Environment Act BDDP outlines how, as an organisation, we plan to address the biodiversity duty under Section 6 of the Environment (Wales) Act 2016. The BDDP identifies a number of outcomes we would like to achieve, to help halt and reverse the decline in biodiversity and ensure that Denbighshire's natural environment is protected and improved for residents and for wildlife.

The plan provides a structured approach, setting out key actions and identifying the most relevant services to lead on those actions. There are a number of performance measures which will be used to determine the success of the actions in the plan, allowing us to report on our successes, as required by the legislation (a report on what the public authority has done to comply with the duty must be published by the end of 2019 and then every three years after this date).

5. How does the decision contribute to the Corporate Priorities?

Biodiversity is a corporate priority under the Environment heading of Denbighshire County Council's Corporate Plan 2017 – 2022. We have a specific target to "*Increase the biodiversity quality of important habitats and species across the county*". The BDDP sets out clear objectives and actions to achieve an increase in biodiversity within the county, with specific and quantifiable performance measures. As such, the BDDP contributes directly towards Denbighshire County Council's Corporate Priorities.

6. What will it cost and how will it affect other services?

There is no specific cost associated with the BDDP. The aim of the document is to improve biodiversity within Denbighshire, and the plan sets out specific ways staff and services can help achieve this.

It is often small, simple changes which have the greatest impact, and these are the focus of much of the BDDP. In most instances, this involves reviewing current ways of working, and adapting these to be more environmentally friendly. In some instances, this may result in cost savings.

Other projects specifically focusing on biodiversity which have received external funding are included within the plan in order to record all actions. Support and advice will be given to other services by the Ecology Officer and Biodiversity Officer. The intention is that the specific measures outlined within the plan will be incorporated into individual service plans to ensure that they are completed and reported on effectively.

7. What are the main conclusions of the Well-being Impact Assessment?

As a local authority we now have a statutory duty to function sustainably and lead by example when it comes to protecting and enhancing our natural environment. To meet the challenge of reversing the decline in biodiversity it is essential that we act now and ensure as a local authority we meet the needs of the present without compromising the ability of future generations to meet their own needs.

Denbighshire County Council's biodiversity duty delivery plan outlines how, as an organisation, it plans to address its biodiversity duty under the Environment (Wales) Act 2016 and consequently help achieve its Well-being and Nature Recovery Plan objectives over the period 2016-19. The Wellbeing Impact Assessment has shown that the adoption of this document will align the council with the Wellbeing of Future

Generations Act. Although largely an internal document, the benefits will be felt by residents throughout the county.

The Well-being Impact Assessment was completed after the first draft of the document was produced. This was undertaken by Joel Walley and Huw Rees. It is included here in Appendix 2.

8. What consultations have been carried out with Scrutiny and others?

The BDDP was taken to SLT on 17th January 2019 where it received strong support. Following this, an internal consultation was undertaken, and the document was sent out to all middle managers for comments, with the consultation ending on 5th April 2019. Comments were received from Planning and Public Protection, Contracts and Facilities, Strategic Asset Management, Communication Marketing and Engagement, and Strategic Planning and Performance. Their comments ranged from simple queries about what will be required of their service, to complex responses on existing actions they are taking and what they can do to help deliver the plan. To date, everyone has been supportive of the BDDP and what it sets out to achieve.

9. Chief Finance Officer Statement

As reported above there are no direct costs associated with this report. The service has a strong record of maximising external grant income to help fund projects which is particularly welcome while Council finances remain under pressure.

10. What risks are there and is there anything we can do to reduce them?

Welsh Government require all public bodies in Wales to produce a plan to comply with the biodiversity duty under Section 6 of the Environment (Wales) Act 2016. Non-compliance may result in a review of the activities of Denbighshire County Council in regard to biodiversity.

11. Power to make the Decision

11.1 Section 2 of the Local Government Act 2000. The Local Authority has the power to do anything which they consider is likely to achieve the promotion or improvement of economic, social or environmental well-being of their area.

11.2 Section 7.4 of the Council's Constitution outlines Scrutiny's powers in respect of policy development and review.

Contact Officer:

Ecology Officer

Tel: 01824 712762