

# ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

## 3<sup>RD</sup> MARCH 2017

### CARMARTHENSHIRE COUNTY COUNCIL ENVIRONMENT ACT FORWARD PLAN

#### To consider and comment on the following issues:

To consider and comment on the Environment Act Forward Plan attached.

#### Reasons:

For Committee's Information

To be referred to the Executive Board / Council for decision: YES

**Executive Board Member Portfolio Holder:** Cllr. Pam Palmer (Community)

<b>Directorate:</b> Environment	<b>Designations:</b>	<b>Tel Nos. / E-Mail Addresses:</b>
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# EXECUTIVE SUMMARY

## ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY 3<sup>RD</sup> MARCH 2017

### Carmarthenshire County Council Environment Act Forward Plan

This report brings to the attention of the Committee the requirements under the Environment (Wales) Act 2016 that all public bodies 'must seek to maintain and enhance biodiversity in the proper exercise of their functions and in doing so promote the resilience of ecosystems'. This new duty is termed the Biodiversity and Resilience of Ecosystems Duty. It strengthens, and supersedes the Biodiversity Duty placed on public bodies under the Natural Environment and Rural Communities Act 2016.

The Act requires that all public authorities prepare an Environment Act Forward Plan detailing out how they intend to demonstrate that it will be complying with the Biodiversity and Resilience of Ecosystems Duty referred to in the Environment (Wales) Act 2016. The requirement that this Forward Plan be submitted to the Welsh Government by 31<sup>st</sup> March 2017 is set out in the legislation.

The draft Forward Plan for the Authority is attached for Committee's information and comment. The plan will be taken to the Executive Board.

In order to comply with the Environment (Wales) Act 2016 and the Biodiversity and Resilient Ecosystem Duty set out in the Act, CCC as a public body, needs to review its plans, policies and working methods, across all directorates, to ensure that that is fulfilling this new duty, namely to maintain and enhance biodiversity and to promote ecosystem resilience. Not only are public bodies required to publish their Environment Act Forward Plan, but they will be required, in 2019, to report on how they have met the Biodiversity and Resilient Ecosystem Duty. The intention in the legislation is that the duty to forward plan will ensure that biodiversity is considered at the decision making level, and the reporting duty will make public authorities more responsible for showing how their actions have helped enhance biodiversity and ecosystems.

Attached is CCC's first Forward Plan. It has been developed by and for the Environment Department through a series of workshops with both Heads of Service, and officers within four of its divisions, held in November and December 2016. Those attending were asked to review the activities for which they are responsible, and identify activities that had the potential to impact either positively or negatively on biodiversity. They were then asked to address, how, perhaps through changes in working practice, they could ensure compliance with the new Biodiversity and Ecosystem Resilience duty placed on public bodies by the Environment (Wales) Act 2016. The twelve key actions set out in the plan reflect these discussions, and have been circulated to Heads of Service, and all those that attended the workshops, prior to inclusion in this plan. The plan refers to twelve key actions that will be carried out to demonstrate how the Council is embedding biodiversity into its decision making and working practices.

Assuming that this proves to be a successful approach, similar workshops will be held for other CCC departments in 2017, with a view to developing further the Council's approach to demonstrating compliance with this new duty.

<b>DETAILED REPORT ATTACHED?</b>	<b>YES</b>
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# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: L Quelch Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	YES/ NONE	NONE	YES	NONE	YES

## 1. Policy, Crime & Disorder and Equalities

The plan is consistent with the Council's Community Strategy, and its Corporate Strategy, as it sets out how the Council will demonstrate, through its actions, that it is maintaining and enhancing the natural environment.

The Biodiversity Duty set out in the Environment Act is consistent with Sustainable Development. The Act states that the Councils has a duty to maintain and enhance biodiversity and promote ecosystem resilience where it is within the proper exercise of its functions.

## 2. Legal

The preparation of an Environment Act Forward Plan is a requirement placed on public bodies by the Part 1 Section 6 of the Environment (Wales) Act 2016. The Council's Environment Act Forward Plan must be submitted to the Welsh Government by 31<sup>st</sup> March 2017.

## 3. Finance

At this stage the financial implications of delivering the goals set out within the plan have not been calculated as the details of each action remains to be considered.

## 5. Risk Management

Failing to publish the Forward Plan would result in the authority being non-compliant with the duty placed on public bodies by the Environment (Wales) Act 2016.

## 6. Staffing Implications

The commitments of staff time in the Forward Plan are expected to be met within existing workloads.

## 7. Physical Assets

As a result of implementing goals set out in the Forward Plan there may well be implications for the way in which some Council owned properties are managed, in that greater emphasis may be placed on management that will maintain and enhance biodiversity and promote ecosystem resilience.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: L Quelch

Head of Planning

1. Local Member(s) – N/A
2. Community / Town Councils – N/A
3. Relevant Partners – N/A
4. Staff Side Representatives and other Organisations – N/A

**Section 100D Local Government Act, 1972 – Access to Information**  
**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW:**

<http://www.legislation.gov.uk/anaw/2016/3/contents/enacted>

<https://www.biodiversitywales.org.uk/File/708/en-GB>

<http://gov.wales/docs/desh/publications/160321-biodiversity-and-resilience-of-ecosystems-duty-en.pdf>