

EXECUTIVE BOARD

27TH MARCH 2017

CARMARTHENSHIRE COUNTY COUNCIL ENVIRONMENT ACT FORWARD PLAN

The purpose of this plan is to demonstrate the Council's compliance with the Biodiversity and Resilience of Ecosystems Duty set out in the Environment (Wales) Act 2016. The submission of this Forward Plan to the Welsh Government by 31st March 2017 is set out in the legislation, as is the requirement to report on the delivery of this plan to the Welsh Government in 2019.

Recommendations / key decisions required:

That Executive Board adopt the draft Environment Act Forward Plan attached, publish it, and submit it to the Welsh Government, as required under the Environment Act (Wales) 2016.
That Executive Board commit to reporting on the delivery of this plan to the Welsh Government in 2019.

Reasons:

The requirement that Local Authorities publish and submit their Environment Act Forward Plans to the Welsh Government by 31st March 2017 is set out in Part 1 Section 6 of the Environment (Wales) Act 2016.

Relevant scrutiny committee consulted- YES - Environment and Public Protection, 3/3/17.

Scrutiny Committee recommendations / comments: Refer to Consultation

Exec Board Decision Required	YES
Council Decision Required	NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. P A Palmer (Communities)

Directorate:	Designations:	Tel Nos. / E-Mail Addresses:
Environment		
Name of Head of Service: LI Quelch	Head of Planning Services	01267 228918 LQuelch@carmarthenshire.gov.uk
Report Author: R Carmichael	Rural Conservation Manager	01267 228727 RACarmichael@carmarthenshire.gov.uk

EXECUTIVE SUMMARY

27TH MARCH 2017

CARMARTHENSHIRE COUNTY COUNCIL ENVIRONMENT ACT FORWARD PLAN

BRIEF SUMMARY OF PURPOSE OF REPORT

The purpose of the report is to bring to the attention of the Executive Board the requirement 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 the Biodiversity Duty placed on public bodies under the Natural Environment and Rural Communities Act 2006.

To demonstrate their commitment to this new duty, all public bodies in Wales, including Local Authorities are required to prepare and publish an Environment Act Forward Plan setting out how they intend to comply with the new Biodiversity and Resilience of Ecosystems Duty. A draft Forward Plan for Carmarthenshire County Council is attached. The Executive Board's decision to progress with both the adoption and the delivery of this plan is required. It is a requirement of the Act that this Forward Plan is submitted to the Welsh Government by 31st March 2017.

In order to comply with the Environment (Wales) Act 2016 and the Biodiversity and Resilient Ecosystem Duty set out within it, the Authority, as a public body will need to review its plans, policies and working methods, across all directorates, to ensure that that it is complying with its duty to maintain and enhance biodiversity and to promote ecosystem resilience. This first Forward Plan sets out the actions that will be taken within the Authority's Environment Department to fulfil this new duty. Similar reviews of plans, policies and activities will be carried out across its other departments in the next three years. Not only are public bodies required to publish a Forward Plan, but they will be required, in 2019, to report on the delivery of that plan, and how they have met the Biodiversity and Resilient Ecosystem Duty to the Welsh Government. 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.

OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS

As the publishing of the Forward Plan is a legal requirement there are no other options.

DETAILED REPORT ATTACHED?

Carmarthenshire County Council Forward Plan for
Environment (Wales) Act 2016 2017–19

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 Head of Planning

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	YES	NONE	NONE	YES	NONE	YES

1. Policy, Crime & Disorder and Equalities

Delivering the Environment Act Forward Plan links directly to achieving the Council's Well-being Objectives: see CCC Well Being Objectives 2016, Objective 12 - Healthy and Safe Environment now and in the future.

The Forward Plan will also assist in delivering two of the strategic objectives set out in the Council's Corporate Strategy:

- Making the best use of resources
- Carmarthenshire's communities and environment are sustainable.

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 31st 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 Issues

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

6. Physical Assets

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

7. Staffing Implications

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

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. Scrutiny Committee

Environment and Public Protection Scrutiny Committee was consulted on 3rd March 2017

Recommendations:

That the draft Environment Act Forward Plan be presented to Executive Board with no further revisions

2. Local Member(s) - N/A

3. Community / Town Council - N/A

4. Relevant Partners - N/A

5. 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>