

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

5TH JULY 2019

UPDATE ON PROGRESS IN DELIVERING CARMARTHENSHIRE COUNTY COUNCIL'S ENVIRONMENT ACT FORWARD PLAN

To consider and comment on the following issues:

That Committee note the progress made in delivering the Council's Environment Act Forward Plan 2017.

Reasons:

- To update the Committee on the progress that has been made in delivering Carmarthenshire County Council's Environment Act Forward plan published in March 2017.
- In addition to publishing an Environment Act Forward Plan, in December 2019, public bodies are required to report on how they have met the Biodiversity and Resilient Ecosystem Duty.

To be referred to the Executive Board for decision: NO

Executive Board Member Portfolio Holders:

Cllr. Hazel Evans (Environment)

Directorates:	Designations:	Tel Nos. / E-Mail Addresses:
Environment		
Name of Head of Service: Llinos Quelch	Head of Planning	01267 228918 LQuelch@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

5TH JULY 2019

UPDATE ON PROGRESS IN DELIVERING CARMARTHENSHIRE COUNTY COUNCIL'S ENVIRONMENT ACT FORWARD PLAN

Section 6 of the Environment (Wales) Act 2016 replaces and strengthens the previous biodiversity duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. It states that all public bodies in Wales, when carrying out their functions, must seek to maintain and enhance biodiversity and promote ecosystem resilience.

The Act also requires all public bodies in Wales to publish an Environment Act Forward Plan setting out how they will evidence that they are delivering this Section 6 duty.

Not only are public bodies required to publish their Environment Act Forward Plan, but they will be required, by December 2019, to report to the Welsh Government on how they have met the Section 6 Biodiversity and Resilient Ecosystem Duty set out in the legislation, i.e. how they have delivered their Forward Plan. Ahead of the 2019 reporting, the Scrutiny Committee will be provided an opportunity to monitor the annual report of the progress being made in delivering the Council's Environment Act Forward Plan.

The intention in the legislation is that the duty to forward plan will ensure that all public bodies will be able to demonstrate how they have delivered the Section 6 Biodiversity and Resilient Ecosystems Duty placed on them by the legislation. It is also the intention that the required approach to decision making and ways of working becomes embedded into new or revised working practices. The reporting duty makes public authorities more responsible for demonstrating how their actions have helped enhance biodiversity and ecosystems.

Attached is a detailed report of the progress in delivering the 29 actions set out in the Council's Environment Act Forward Plan 2017. These actions are all monitored twice a year by the Council's PIMS system. The attached report relates to the December 2018 monitoring period. All actions are on target, with some completed. Some actions have been re-worded, or amalgamated as necessary during the year, in order to make improvements to the plan delivery.

The Rural Conservation Section continues to lead on ensuring that the actions in the plan are delivered, and this requires regular liaison with the officers responsible for each action to ensure that all are progressed. This is proving to be an effective approach to delivering the plan, and it is helping to ensure that new ways of working, consistent with the Section 6 duty, are becoming embedded in the Council's working practices.

DETAILED REPORT ATTACHED?

YES

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: Llinos Quelch Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	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 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.

4. ICT

None

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

None, however, 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: **Llinos Quelch** **Title: 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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Environment Act Forward Work Plan:- Minutes and Reports for EB held on 27 th March 2017 [Agenda Item 10]		http://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&MId=698&Ver=4
Environment (Wales) Act 2016 Biodiversity and Resilience of Ecosystems Duty		http://www.legislation.gov.uk/anaw/2016/3/contents/enacted http://gov.wales/docs/desh/publications/160321-biodiversity-and-resilience-of-ecosystems-duty-en.pdf