



**BUILTH WELLS TOWN COUNCIL
CYNGOR TREF LLANFAIR-YM-MUALLT**

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Town Clerk report to Council:

Section 6 of the Environment (Wales) Act 2016: Enhanced biodiversity duty on public authorities.

The purpose of this report is as follows:

1. To explain the duty imposed on public authorities under the above Act.
2. To outline the definition and meaning of biodiversity and Ecosystems, in relation to the Act.
3. To put forward for the Town Councils consideration and deliberation, a few suggestions that could potentially meet its obligations under the Act.
4. List of background papers and sources informing this report.

1.The duty imposed on public authorities under the Act:

The Environment (Wales) Act 2016, received Royal Assent on 21st March 2016. The aim of the Act is to enable the environment in Wales to be managed in a more “proactive, sustainable and joined-up way”. It allows Wales’ natural resources to be managed at both a national and local level through different frameworks.

Section 6 of the Act introduced a duty on public authorities, such as Town Councils (so defined under section 6(9) and 6(10)), to prepare and publish a plan setting out what it proposes to do to comply with the Act in respect of maintaining and enhancing biodiversity within their current work areas. This is in order to ensure that in doing so, they promote the resilience of ecosystems in the exercise of the Town Councils functions. By so doing, it would also assist the Town Council to maximise its contributions to well-being goals under the Well-being of Future Generations (Wales) Act 2015.

The duty places an obligation on the Town Council to embed biodiversity and ecosystems into their business planning and day to day activities, including policies, plans, programmes and projects across their functions. The duty requires the Town Council to publish a plan of the actions it proposes to take to maintain and enhance biodiversity, but which is proportionate to its activities and functions. The first report is due by the end of 2019, and then once every three years thereafter.

There is no standard form that the report needs to take, and each public authority is free to decide on what format to use (e.g. as a stand-alone document or incorporated into their existing planning and reporting publications).

2.The definition and meaning of Biodiversity and Ecosystems:

The **Welsh Government** in its Environment (Wales) Act 2016 fact sheet describes biodiversity as being “...the diversity of living organisms and underpins the health and resilience of all of our ecosystems. In turn, these support all life on Earth. Ecosystems that are more biodiverse tend to be more resilient and are better able to adapt to the pressures and changes we face, for example through the impacts of climate change.”

In addition, the **Welsh Biodiversity Partnership** states that “Biodiversity is the variety of life found on earth. It includes all species of plants and animals, their abundance and genetic diversity. It is our fascinating wildlife and iconic species and habitats; it is vital to connect people with nature; and it contributes to society’s well-being, sense of place and cultural identity.”

Of particular note is that the **UK National Ecosystems Assessment** has identified changing land management practices, through agriculture and urbanisation, pollution and invasive non-native species as key pressures leading to habitat and species loss and fragmentation.

Ecosystems are defined as functioning units made up of our living organisms with their non-living environment (air, water, minerals and soil) and all the complex interactions that take place between them. Our oceans, wetlands, lakes, rivers, mountains, forests and agricultural landscapes.

3.Suggestions for the Town Council to consider in relation to meeting its duty under the act:

I have researched UK and Welsh Government sources and other public authorities’ responses to the obligations under Section 6 of the Act. I have also been in personal contact with the Biodiversity Policy Advisor in the Economy, Skills & Natural Resources Department of the Welsh Government. Based on my research, I have produced a few examples of what the Town Council could do to meet the biodiversity duty. These are set out below, and demonstrate the range of functions that the duty can apply to, ranging from procurement decisions, through to action on the ground:

1. Reduce, re-use, recycle materials, but where products such as paper are bought, ensure that supplies come from sustainable sources – i.e. paper from sustainable forests.
2. The area of land on The Groe park, owned and managed by Builth Wells Town Council:
 - changes to mowing regimes, e.g. reduce the frequency of grass cutting to encourage wildflowers which are good for pollinators and other insects. Of note is that longer grass captures more carbon, and by not cutting grass, it improves soil health and improves connectivity between valuable habitats
 - Identify wildlife that live in the area, particularly if important or protected and seek to enhance the area for them.
 - potentially provide opportunities for community group volunteers and schools to become involved, contributing to their well-being and health.
3. Become a “Bee friendly” community in order to assist Wales become a pollinator-friendly country by taking action as part of the Welsh Governments scheme.
4. Town Council grants: including a grant condition that requires applicants to consider ways that they can help biodiversity, even if the applicants project aims are not specifically related to the natural environment.

The above is not an exhaustive list, and is only intended to be the basis for the Town Council to begin its deliberations on the subject, in addition to deciding on what form the report should take (as highlighted in section 1 - paragraph 3 above)

4.List of background papers and sources:

- The Environment (Wales) Act 2016
- The Welsh Assembly Sustainable Management of Natural Resources and the Environment (Wales) Act research briefing 2019
- The Welsh Biodiversity Partnership website
- The Nature Recovery Plan for Wales 2015
- The Well-Being of Future Generations (Wales) Act 2015
- The Economy, Skills & Natural Resources Department of the Welsh Government
- The UK National Ecosystems Assessment (2011 version)
- The Neath Port Talbot County Borough Council Biodiversity Duty Plan 2017
- The Flint County Council Statutory Duty: Environment Act guidance report 2018
- The Monmouth County Council Biodiversity & Resilience of Ecosystems forward plan 2017
- The Carmarthenshire County Council guidance to Town and Community Councils

This report is now submitted to the Town Council for its perusal and consideration of its contents.

Date Completed 27/11/19

Louise Hammond
Town Clerk
Builth Wells Town Council