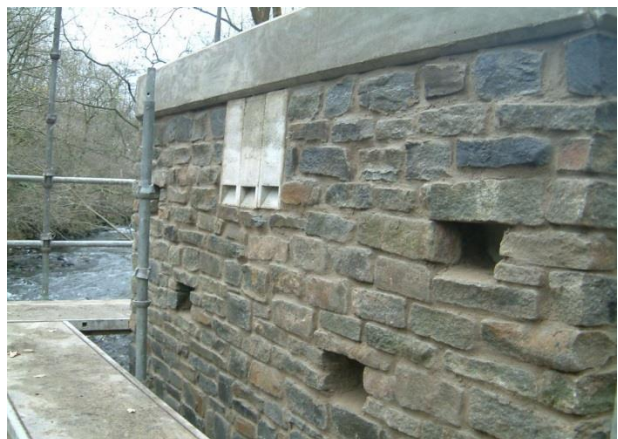


# DRAFT

## APPENDIX 1

**Caerphilly County Borough Council**  
**Environment (Wales) Act 2016 – Biodiversity Duty Plan**  
**March 2017**



# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

## Contents

Executive Summary.....	4
Introduction.....	5
Natural Resources in CCBC.....	5
Legislative Requirements.....	8
The CCBC Biodiversity Duty Plan.....	11
CCBC Biodiversity Duty Actions.....	12
Next steps in delivery.....	15

Appendix A – The Environment (Wales) Act Duties

Appendix B – Well-being of Future Generations (Wales) Act 2015 Goals

Appendix C – Well-being of Future Generations (Wales) Act 2015 Ways of Working

Appendix D – The Nature Recovery Plan for Wales Objectives

Appendix E – Biodiversity Duty Questionnaire Service Area Responses Summary

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

## **EXECUTIVE SUMMARY**

Caerphilly County Borough Council has a legal duty to maintain and enhance biodiversity and in so doing promote the resilience of ecosystems under the Environment (Wales) Act 2016. This plan demonstrates how we will fulfil that duty and will act as a driver for ensuring that all Service areas consider biodiversity and actively enhance biodiversity when carrying out their day to day activities.

Caerphilly County Borough has a wealth of biodiversity that characterises the landscape of the valleys and hill tops, and provides the backdrop to the towns and villages within the county borough.

Over the last year, the Welsh Government has introduced a number of new legislative requirements for public bodies and local authorities to comply with, which will change the way we plan and deliver services, putting sustainable development principles at the heart of all public bodies. The Biodiversity Duty Plan not only delivers our statutory duties with regards to biodiversity but also explains how through meeting the Biodiversity Duty, we are delivering well-being objectives and ways of working through sustainable development.

The plan can be revised at any time but must be formally reported to Welsh Government by the end of 2019 and every three years thereafter.

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

## INTRODUCTION

This plan has been prepared as part of the Council's legal obligation as set out in the Environment (Wales) Act 2016. All public bodies must seek to maintain and enhance biodiversity in the exercise of their functions. As a first step, the council (and other public bodies) are required to prepare and publish a plan during 2017 on how they intend to comply with its "biodiversity and resilience of ecosystems duty".

In this plan the Council will:

- Outline what natural resources are found within Caerphilly County Borough, identify why they are so special and set out what has already been done to protect them
- Explain the legislative background to this report and the multiple benefits resulting from the proposed actions
- Set out how the plan works and the mechanisms for delivery
- Give detailed actions to be achieved with milestones for reporting.

## NATURAL RESOURCES IN CAERPHILLY COUNTY BOROUGH

Caerphilly county borough is 80% "countryside" and the countryside is never more than 10 minutes away. The natural environment and its related biodiversity are fundamental to the area's economy, by attracting people to live, visit and invest.

Caerphilly county borough is rich in wildlife. This has evolved with changing agricultural and forestry practices, and urban and industrial developments, which have shaped the landscape of the county borough. However, during the last 50 years there has been a dramatic loss in the abundance and variety of species. This decline has occurred locally, nationally and on a worldwide scale, and is linked to the changes in our modern lifestyles and the resultant demand and threats this has had on our natural resources. If action is not taken to halt this decline, many plants and animals familiar to us today will be lost.

Caerphilly county borough lies in the South Wales Valleys bounded in the south by the county boroughs of Cardiff and Newport, and by Powys and the Brecon Beacons National Park in the north. It is made up of 3 valleys, the Rhymney, Sirhowy and Ebbw, covering an area of 28,000ha. The county borough has one of the highest populations in Wales of approximately 170,000 (1997 Census), and yet over 75% is used for agriculture and forestry (countryside/rural). It has both an expanding economy and an attractive environment.

The habitats of the county borough are varied, ranging from the upland moorland of Pen March and the open commons of Gelligaer and Mynydd Maen to the dramatic steep-sided valley slopes of the Ebbw, Sirhowy and Rhymney rivers. In the north

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

these valley sides are dominated by bracken with occasional heath and upland woodland, while in the east of the county they are replaced by conifer plantations. To the south is a softer landscape covering the more traditional patchwork of agricultural fields of the Mynyddislwyn plateau, divided by hedgerows and stone walls, and the mixed agricultural and woodland landscape of the Machen and Rudry areas.

The dereliction left behind by the decline of heavy industry, which gave South Wales its initial prosperity and brought work in the iron and coal industries, has largely been transformed, with the creation of several country parks and new sites for industry. Several of the remaining tips have developed either valuable plant communities or provide habitats for breeding bird and invertebrate species. Wildlife has no respect for man-made boundaries and whilst the greatest diversity will continue to be found in rural areas, important habitats can also be found in towns and villages, on derelict land, former mine workings, redundant railway lines and even in individual buildings.

Those areas that have escaped the industrial activities and agricultural improvements of the last century have left a network of species-rich unimproved meadows, wet pasture and ancient woodlands scattered throughout the county borough.

The county borough has one European designated Special Area of Conservation (SAC), namely, Aberbargoed Grasslands, which is also partly a Site of Special Scientific Interest (SSSI), and was also designated a National Nature Reserve (NNR) in 2012. This site is important for its marshy grasslands and population of Marsh fritillary butterflies.

There are 12 SSSI in total in the county borough, 4 Local Nature Reserves (LNR) and 190 Sites of Importance for Nature Conservation (SINC). These protected sites and other natural green spaces create a network of habitats that is vital to some species in order to disperse across the landscape, particularly in the face of climate change. Less mobile species will require this network of suitable semi-natural habitat to enable them to travel northwards in response to increases in temperature.

Caerphilly county borough's wildlife is threatened by many human activities, but two key threats are from development and changes in land management. The demand for new housing, roads, industrial and business developments, landfill and mineral extraction, has in the past resulted in extensive losses in wildlife in the county. Loss of ancient woodlands, unimproved grasslands, moorland and hedgerows and the draining of wet meadows and marshes, together with indirect impacts from pollution, disturbance, isolation and fragmentation of habitats, are all particular concerns.

Priority habitats and species have been identified by the Welsh Government as required by Section 42 of the Natural Environment and Rural Communities Act 2006 and subsequently by Section 7 of the Environment (Wales) Act. A revised list of *Habitats and Species of Principal Importance for the Conservation of Biological Diversity in Wales* was published by WG in 2009. The list contains 51 priority

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

habitats. This is the definitive reference for all statutory and non-statutory bodies involved in biodiversity conservation in Wales.

The “Section 7 List” includes several species that occur in the Caerphilly county borough. Of particular note are the following species, however, the full list can be viewed online at [www.walesbiodiversity.org](http://www.walesbiodiversity.org)

Adder	Great crested newt	Otter
Barn owl	Hazel dormouse	Reed bunting
Bats (all species)	Hedgehog	Skylark
Common lizard	House sparrow	Slow worm
Common toad	Lapwing	Spotted flycatcher
Grass snake	Marsh fritillary butterfly	Starling

WG has selected the status of priority habitats and species as a headline indicator, providing a measure of national progress towards sustainable development. Future development in Caerphilly county borough will play a key role in ensuring that the status of priority habitats and species is improving.

The *Biodiversity Action Plan for Caerphilly County Borough* produced by the Caerphilly Biodiversity Partnership also identifies species and habitats of local importance. This document is currently under review, as the original was published in 2002

Caerphilly county borough's natural environment is widely appreciated, but there is often a lack of understanding of the diversity of habitats and species, and the vulnerability of our richest habitats that were once widespread. More importantly, however, is the need to help people understand why biodiversity is important and why conservation is necessary. Many people might change their actions if they realised the impact they were having.

Despite our best efforts, the 2010 UK targets for biodiversity conservation were not met and there has been a change in focus to ecosystems. The Convention on Biological Diversity and European targets for biodiversity now advocate ecosystem management to increase resilience to climate change.

The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. This is widely recognised as the international best practice for addressing the decline in biodiversity. (<http://www.cbd.int/ecosystem/>).

Ecosystem services are:

Supporting	underpins all other services and includes nutrient cycling, soil formation and primary production
Provisioning	all our food, fresh water, wood and fibre, fuel
Regulating	cleaning air and water, flood control, carbon sequestration
Cultural	aesthetic, spiritual educational, recreational

## LEGISLATIVE REQUIREMENTS

### ENVIRONMENT (WALES) ACT 2016

The Environment (Wales) Act became law on the 21<sup>st</sup> March 2016. It puts in place legislation to enable Wales' resources to be managed in a more proactive, sustainable and joined up way and to establish the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider remit under the Well-being of Future Generations (Wales) Act 2015, so that Wales benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

Specifically, the Act places an enhanced biodiversity duty on public authorities (appendix A)

**Section 6(1) - A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in doing so promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions**

The intention of this duty is to ensure biodiversity becomes an integral part of decision making in public authorities. The duty came into force in May 2016

Unlike the previous duty provision the new duty requires formal demonstration of compliance. The authority is therefore required by the Act to prepare and publish a plan setting out how it intends to comply with the duty. While the Act does not set a timescale for this, guidance from officers within Welsh Government encourage its production in 2017. The Act requires public bodies to publish a report by the end of 2019 on what it has done to comply with the duty which is then required to be reported on every 3 years thereafter.

The Act also requires Natural Resources Wales (NRW) to publish a State of Natural Resources Report setting out the current status of natural resources in Wales. The local authority is required to have regard to the findings of this report in exercising its functions.

### WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being of Wales. It sets out new ways of working that ensure all elements of well-being are considered together and to facilitate collaborative working.

This Act places a duty on public bodies to carry out sustainable development. This is defined as a process of improving the economic, social, environmental and cultural



# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

wellbeing of Wales. This is achieved through taking action in accordance with the sustainable development principle so that well-being goals are achieved.

The Act sets out 7 well-being goals that have been identified (Appendix B). In Caerphilly the local authority is working with the Public Service Board to provide Well-being Objectives, and alongside this Caerphilly County Borough Council will be providing their own Well-being Plan and providing Well-being objectives applicable to the work of the Council.

## *Sustainable Development Principle*

The Well-being of Future Generations Act sets out 5 ways of working that public bodies must adhere to in order to demonstrate how they are meeting their duty (Appendix C). Any plan/projects must now demonstrate that they are following these ways of working. These are set out below with an explanation of how this plan (the Biodiversity Duty Plan) meets each one:

Long Term	<ul style="list-style-type: none"><li>• Through this plan the identification of areas for long term management and changes to policy will allow the safeguarding of long-term needs of the people of Caerphilly County Borough</li><li>• The Development Control process and management of parks and country parks allows us to ensure long term management of sites and through mechanisms for enhancement</li><li>• This plan is the starting point for identifying changes to the way we manage our land , buildings and resources which will have a long term effect.</li></ul>
Integration	<ul style="list-style-type: none"><li>• Caerphilly are currently in the process of setting well-being objectives which are not available at the time of writing of this plan. However it is envisaged that this plan will form a key part of the delivery of our objectives for the resilience well-being goal. When the objectives are finalised, this plan will be revised to ensure that it reflects the agreed objectives.</li></ul>
Involvement	<ul style="list-style-type: none"><li>• Through supporting the Caerphilly Biodiversity Partnership, this plan allows engagement with residents of Caerphilly County Borough, in making decisions on the nature conservation priorities of the county</li><li>• Many of the actions in this plan require close collaborative working within the County Council and with the Council's partners.</li></ul>
Collaboration	<ul style="list-style-type: none"><li>• By assessing the policies and working practices of different service areas we will identify ways of working together</li><li>• We will continue to work with NRW and other partners to deliver actions on the ground, and when NRW Area Statements are produced will adjust our actions to assist them in meeting their Area Statement goals.</li><li>• Continued support of the Caerphilly Biodiversity Partnership, and Regional Biodiversity Partnerships will allow the Council to work in collaboration with a wide range of partners, particularly non-government organisations and community groups.</li></ul>

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

Prevention	<ul style="list-style-type: none"><li>• Early collaboration between service areas will help identify potential issues and allow them to be addressed at an early stage.</li><li>• Using State of Natural Resources Report and Area Statements (when available) to guide this plan will identify issues within Caerphilly County Borough Council and address them appropriately.</li></ul>
------------	---

## NATURE RECOVERY PLAN FOR WALES

The Nature Recovery Plan for Wales (2015) recognises that the importance of biodiversity as underpinning healthy functioning ecosystems, human well-being and the economy. The Nature Recovery Plan builds on the new legislative frameworks set out above and identifies how, in Wales, we can address underlying causes of biodiversity loss. Specifically by:

- Putting nature at the heart of decision-making
- Increasing the resilience of our natural environment
- Taking specific action for habitats and species.

It sets out how Wales will deliver the commitments of the Convention on Biological Diversity and the EU Biodiversity Strategy to halt the decline of our biodiversity by 2020 and then reverse that decline. The ambition of the plan is:

**To reverse the decline in biodiversity, for its intrinsic value, and to ensure lasting benefits to society**

Part 1 of the Nature Recovery Plan sets out the objectives needed in Wales to achieve the ambition. The objectives are set out below with details in Appendix D

1	Engage and support participation and understanding to embed biodiversity throughout decision making at all levels
2	Safeguard species and habitats of principal importance and improve their management
3	Increase the resilience of our natural environments by restoring degraded habitats and habitat creation
4	Tackle key pressures on species and habitats
5	Improved our evidence, understanding and monitoring
6	Put in place to framework of governance and support for delivery

Part 2 of the Nature Recovery Plan sets out an action plan. A number of actions are allocated to the local authority as a key partner for delivery which will be incorporated into the Biodiversity Duty Plan.

## **CAERPHELLY COUNTY BOROUGH COUNCIL – BIODIVERSITY DUTY PLAN**

This plan has been produced to fulfil Caerphilly County Borough Council's legal obligation set out in the Environment (Wales) Act 2016. All public bodies must seek to maintain and enhance biodiversity in the exercise of their functions. The local authority is required to prepare and publish a plan on how it intends to comply with its "biodiversity and resilience of ecosystems duty".

Interim guidance published by Welsh Government sets out that public authorities must take into account relevant evidence when complying with the Section 6 duty of the Environment Act including the State of Natural Resources Report published by NRW, 2016, the Environment (Wales) Act 2016, Section 7 lists of habitats and species of principal importance in Wales, and relevant Area Statements to be prepared by Natural Resources Wales under Section 11 of the Act. More detailed guidance from Welsh Government on this plan has not been finalised. In the interim, this plan's actions have been drawn up in line with the objectives in the Nature Recovery Plan. At the same time, those actions allocated to the authority in the Nature Recovery Plan are incorporated into this plan.

Key Features of the Caerphilly County Borough Council Biodiversity Duty Plan:

- The first 12 months of this plan will largely consist of auditing our current practices and biodiversity resource. An initial questionnaire has already been circulated to all service areas to inform the preparation of this plan, set out in Appendix E and this will form the basis of further discussions with service areas and other partners to refine and develop future actions for delivery.
- At the end of 2017 this plan will be revised to take forward actions to maintain and enhance biodiversity following the outcome of the audit and discussions with service areas and other partners. The findings of the State of Natural Resources Report and NRW Area Statements (if available) will be taken into account as part of this process.
- All proposed actions will be reported on in 2019 as required by the Act
- Where there are fundamental changes to terminology, or advancements in our understanding of ecosystems, this plan may be updated to reflect those changes
- Whilst this is a local authority wide plan, the council's ecologist will coordinate the plan and be responsible for the reporting on it. There is a legal requirement to report on the plan in 2019

The Biodiversity Duty Actions set out below broadly identifies what the local authority intends to do to meet it's legal requirements. The actions are organised into the most appropriate Nature Recovery Plan Objective with recognition of the

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

other objectives they contribute towards. The actions currently being undertaken by the local authority in order to comply with the previous biodiversity duty have also been incorporated into the plan.

	CCBC Actions
<b>Objective 1</b>  Engage and support participation and understanding to embed biodiversity through decision making at all levels	In-house ecological advice available to all service areas
	Consideration of Biodiversity as part of the planning application process and other consents such as land drainage consents
	High level decision making such as policy and plan adoption and future regional spatial planning including City Deal and other regional policy initiatives
	The existing Local Development Plan has strong policies to protect and where possible to enhance biodiversity, and land use plans require SEA/SA which have a significant biodiversity element.
	Biodiversity and resilience of ecosystems shall be embedded into business planning by relevant service areas, This will require service areas to understand what potential impacts work streams can have on biodiversity and development of a programme of delivery
	Ensure individual actions within service areas consider their contribution to wider green infrastructure
	Internal awareness raising and training will have an important role in meeting the objective. The council ecologists and countryside team will help to deliver awareness and training to other service areas
	Raise awareness of biodiversity and ecosystems through environmental education and utilisation of existing outdoor learning resources, and engage the wider community through events and improved access to the countryside
	Provide support to the Public Service Board to ensure that it meets its own biodiversity obligations

# DRAFT

## Caerphilly Biodiversity Duty Plan March 2017

Objective 2  Safeguard species and habitats of principal importance and improve their management	<b>CCBC Actions</b>
	Ensure appropriate management sites of high wildlife value within council control to safeguard species and habitats of principal importance
	Identify opportunities for enhancing biodiversity within each service area's remits and portfolios and implement where practical
	Ensure protected species are protected and safeguarded during maintenance works, building renovations and demolitions, including timing of works to avoid impact on habitats and species
	Continue to manage and restore Aberbargoed National Nature Reserve, and promote it as a flagship biodiversity site in the County Borough.

Objective 3  Increase the resilience of our natural environments by restoring degraded habitats and habitat creation	<b>CCBC Actions</b>
	Adopt a green infrastructure approach to site management and use nature based solutions to make improvements in existing and new projects.
	Support landscape scale projects that promote the delivery of biodiversity benefits over wide areas. Engage with partners within the county borough and across local authority boundaries to achieve large scale biodiversity benefits.
	Ensure that biodiversity on land in council ownership does not decline due to lack of management and introduce appropriate management where resources allow. Look for collaborative partnerships to help deliver habitat restoration and creation
	Seek opportunities to influence or implement landscape/biodiversity objectives throughout CCBC whether on public or private land

# DRAFT

## Caerphilly Biodiversity Duty Plan March 2017

Objective 4  Tackle key pressures on species and habitats	<b>CCBC Actions</b>
	Ensure council projects and working practices in all relevant service areas reduce pollution of land and water courses.
	Ensure working practices do not lead to the spread of invasive non-native species, and introduce management to control them on council land and projects.
	Ensure that working practices within each service area do not contribute to diffuse impacts on biodiversity including practices that can contribute to climate change, and impact on natural resources.
	Seek grants to support the delivery of small and larger scale biodiversity projects
	Engage with local communities and encourage the delivery of projects using volunteers from the local community to engender a sense of ownership and pride

Objective 5  Improved our evidence, understanding and monitoring	<b>CCBC Actions</b>
	Where biodiversity information is not available, undertake audits of biodiversity resource within each service areas to identify biodiversity assets held by the council.
	Continue to support the work of the Caerphilly Biodiversity partnership and re-establish a corporate Biodiversity Champion
	Preparation of individual service area biodiversity duty action plans will be developed over the next 12 months
Ensure individual service areas undertake monitoring and evaluation of their contribution towards their biodiversity duty and report on progress as part of the reporting mechanism set out by Welsh Government	

## **NEXT STEPS IN DELIVERY**

The Biodiversity Duty questionnaire completed by service areas in November 2016 has provided the foundation to commence the development of Service Area Action Plans to embed and deliver action in each area.

This will include:

- Developing actions with measurable targets for delivery for each service area
- Use business plans to embed the considerations of biodiversity and ecosystems into policies, plans, programmes, projects and day to day activities
- Use the Green Infrastructure approach as a means of delivering multiple benefits
- Reporting on implementation of the Biodiversity Duty plan as required by Welsh Government
- Ensure Biodiversity duty links to and supports the delivery of the Well-being of Future Generations Areas.