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CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

Committee ENVIRONMENTAL SCRUTINY COMMITTEE

Date and Time of Meeting THURSDAY, 16 NOVEMBER 2023, 4.30 PM

Please find below correspondence send by the Committee Chair following the meeting, together with any responses received.

For any further details, please contact scrutinyviewpoints@cardiff.gov.uk

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Ref: SharePoint/Scrutiny/Env/Correspondence16.11.2023

Date: 29 November 2023

Cllr Caro Wild
Cabinet Member, Climate Change



By email

Annwyl Cyng Wild / Dear Cllr Wild

NATURE EMERGENCY & BIODIVERSITY UPDATE

On behalf of the Environmental Scrutiny Committee held on 16th November 2023, I would like to thank you and officers for attending Committee to facilitate our consideration of the Nature Emergency and Biodiversity update, the Committee appreciated officers attending and facilitating the discussion at short notice. Members agreed that I pass on the following observations, and you will find our requests listed at the end of the letter.

Status of the Nature Emergency

Whilst the commitment and enthusiasm of officers was applauded, the committee expressed concern that following the declaration of the Nature Emergency in 2021 that the profile of nature and biodiversity remains comparatively unseen and rarely referenced when compared with 'climate change' when policy decision are being made. It is noted that in the Single Impact Assessment there is a single question relating to the 'Habitat Regulations Assessment' that refers to European sites designated for nature conservation.

The Committee recommend that consideration is given to the development of a wider nature & biodiversity assessment for inclusion in the Single Impact Assessment

The challenge in growing the profile of nature and biodiversity was accepted by you, however, limited funding and resources were noted as impacting the delivery of 'corporate' awareness raising. Officers informed the committee that training in relation to duties under section 6 of the Environment (Wales) Act 2016 was being developed to be delivered to members in 2024.

It is recommended that this training is also delivered to senior Council Officers.

You and officers were also confident that the development of the Biodiversity and Resilience of Ecosystems Duty (BRED) Plan and the Nature Recovery Action Plan (NRAP) would raise awareness of biodiversity and nature issues.

Funding & Resources

Members noted the difficulties in recruiting to the Planning Ecologist post and that additional funding had been required to attract suitably qualified and experienced candidates. The Committee's previous Scrutiny 'Managing Biodiversity & Natural Environment in Cardiff', in 2019, recommended the recruitment of an additional Ecologist/Section 6 Officer which was partially accepted. Officers would welcome an additional post to focus on the 'corporate' work. Although the additional post has not been recruited to the Committee noted that the Local Nature Partnership Co-ordinator post was grant funded and that this will end in 2025 and concerns were voiced about the continuation of the post after this date and the work and projects that they have been successful in delivering being able to continue without investment by the Council.

The additional recurrent revenue funding to support the Community Rangers team was welcomed along with their recent 'Best of the Best' award.

The Committee acknowledged the challenging financial times ahead but felt that any reduction in budgets that support work and projects that grow nature and biodiversity would be detrimental to the wider Council, given the benefits that nature and biodiversity have.

Members were also advised that seeking funding to support their work is included in the roles of many of the officers rather than one role who's responsibility is to seek appropriate grant funding and apply for it.

Planning Issues & Challenges

Members queried if gardens proposed on development are of a sufficient size to accommodate the owners planting small tree and shrubs to support local biodiversity and nature. Officers responded that overall a 'net gain' on development was worked towards, although members also noted that this does not stop 'astroturfing' of lawn areas, or the creation of additional parking by paving over lawns by homeowners. The increasing number of 4G pitches was also raised by the committee and officers confirmed that mitigating actions are usually included in these cases.

The need to balance protecting and enhancing biodiversity and nature with the need to build more houses to address the growing needs of the city was acknowledged however members commented that as it appears a lot of the ecologists time is spent being reactive, if we made the right decisions in the first place and maybe consulted/engaged with him earlier in the process we would also avoid needing to take mitigating action.

Enforcement of planning breaches was also raised as a challenge as officers noted we have the powers to enforce however we have limited resources to deliver the service. Officers also noted that the Ecologist is able to and does object to planning applications.

The maintenance and preservation of trees and shrubs on new developments was raised as a concern, as they have been seen to die following dry spells if not properly looked after, and local residents could support the trees if they are accessible.

Replacement Local Development Plan

The Committee asked if the Replacement Local Development Plan would protect and enhance nature and biodiversity. Officers were confident that following the update to Chapter 6 of Planning Policy Wales 'Addressing the nature emergency through the planning system' regarding, Green Infrastructure, Net Benefit for Biodiversity and the Step-wise approach, Protection for Sites of Special Scientific Interest and Trees and Woodlands

that the RLDP would strengthen the long term vision for green and blue infrastructure in Cardiff.

Officers also commented that the Planning Policy Wales (PPW) requirements for the inclusion of sustainable drainage systems (SuDS) on new developments and the local authority acting as the SuDS Approving Body (SAB) would enhance local biodiversity and nature.

Partnership working / Behaviour Change

Members asked about the extent of partnership working, and officers responded that at an officer level there was a lot of working happening with neighbouring authorities, although this was not the case at a strategic level. Good working relationships with schools was also noted which includes their involvement in the Coed Caerdydd initiative. Green Walls have also been built at a number of schools in Cardiff which has improved air quality and privacy for pupils while decreasing road noise levels, although unfortunately the walls are currently under attack from vine weevils!

A members asked about the process if a piece of land locally is identified that is not being used that could be used for planting or growing as a community managed (Managing Biodiversity & Natural Environment in Cardiff recommendation 18(b)). Officers responded that the public can contact the community rangers, but acknowledged that more could be done, and I suggested that this could be something to consider including on the Cardiff App.

To confirm a response to the letter which responds to the following points is requested:

- Information regarding the number of planning application objections that the Ecologist has submitted and how many of these were accepted/supported, since he has been in post.

Please see below for the recommendation that the committee is making:

Recommendation	Accepted, Partially Accepted or Not Accepted	Cabinet Response	Responsible Officer	Action Date
Any training in relation to duties under section 6 of the Environment (Wales) Act 2016 is also delivered to Senior Council Officers, across all Directorates.				
Consideration of identification of land use by communities to support biodiversity and nature for inclusion on the Cardiff App				

Once again thank you once more for attending Committee and for considering our comments and observations.

I look forward to your response.

Yours sincerely / Yn gywir



Councillor Owen Jones

Chairperson Environmental Scrutiny Committee

cc: *Members of the Environmental Scrutiny Committee*

Jon Maidment, OM Parks, Sport & Harbour Authority

Steve Ball, Development Manager, Strategic & Placemaking

Justin Groves, County Ecologist

Sam Eaves, Local Nature Partnership Co-ordinator

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Fy Nghyf / My Ref: CE:0045055
Eich Cyf / Your Ref: SharePoint/Scrutiny/Env/Correspondence16.11.2023
Dyddiad / Date: 01 March 2024

Councillor Owen Jones
Chairperson, Environmental Scrutiny Committee
County Hall
Cardiff
CF10 4UW

Annwyl / Dear Owen,

Environmental Scrutiny - 16 November 2023 - Nature Emergency & Biodiversity Update

Thank you for the letter dated 29th November outlining the observations from the Environmental Scrutiny Committee meeting held on 16th November 2023 regarding the Nature Emergency and Biodiversity Update. We welcome the observations and comments made following this meeting.

The Committee requested information regarding the number of planning application objections that the County Ecologist has submitted and how many of these were accepted/supported, since he has been in post. The Planning team have advised that they do not retain formal records of numbers of applications where an 'objection' is raised on individual applications by the County Ecologist, though these are considered to have been limited, given the positive and proactive approach adopted by officers on such matters.

The current County Ecologist was appointed in June 2023 and, during the last 10 months, has worked collaboratively with officers, agents, and developers to ensure that developments have no unacceptable impacts on biodiversity and, since recent changes in Welsh Government Policy, seek to achieve a net biodiversity enhancement. This approach means that officers have been able to secure improvements to schemes to address identified issues of concern, and to impose conditions (or legal agreements) requiring appropriate mitigation or compensation to be delivered to ensure development can proceed without causing unacceptable impacts on biodiversity.

Notwithstanding the above, the increasing focus on biodiversity and the nature emergency is such that there will inevitably be times when environmental impacts cannot be mitigated or are not outweighed by other identified benefits. In such cases, officers will seek to support the County Ecologist in resisting inappropriate proposals.

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GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedl.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



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In response to the recommendations raised by the Committee:

Recommendation	Accepted, Partially Accepted or not Accepted	Cabinet Response	Responsible Officer	Action Date
Any training in relation to duties under section 6 of the Environment (Wales) Act 2016 is also delivered to Senior Council Officers, across all Directorates.	Accepted	The training currently being developed is intended to be delivered to members and across all Directorates at senior manager level and potentially wider to improve awareness of the duty and the role that all directorates have to play in meeting it.	Justin Groves (Principal Officer - County Ecologist)	June 2024
Consideration of identification of land use by communities to support biodiversity and nature for inclusion on the Cardiff App	Accepted	A review of how the Council can increase visibility of land use opportunities with an emphasis on how communities can get involved is being undertaken. This will involve utilising all current communication channels including Outdoor Cardiff, the Council's Website and C2C alongside consideration of utilising of the Cardiff App.	Jennie Judd (Operational Manager, Parks Services)	31/1/24

Yn gywir / Yours sincerely,



Y Cynghorydd / Councillor Caro Wild
Yr Aelod Cabinet dros y Newid yn yr Hinsawdd
Cabinet Member for Climate Change