

**RESPONSE TO ENVIRONMENTAL SCRUTINY COMMITTEE:
MANAGING BIODIVERSITY & NATURAL ENVIRONMENT IN
CARDIFF****CLEAN STREETS, RECYCLING & ENVIRONMENT
(COUNCILLOR MICHAEL MICHAEL)****AGENDA ITEM: 3**

Reason for this Report

1. To agree the Cabinet response to the Scrutiny Report of September 2019 as contained in Appendix 1.

Background

2. Environmental Scrutiny Committee reviewed the management of biodiversity and natural environment in Cardiff.
3. The Council has set out its ambition to be a One Planet City. This sets out the Council's response to the climate change emergency and calls upon businesses and residents to join forces with the Council to make the lifestyle changes required, if Wales' capital is to become a truly 'Green' and sustainable city over the next ten years. The Strategy includes:
 - A new district heating scheme;
 - Increasing tree canopy coverage in the city by 25%;
 - Ending the council's use of single-use plastics;
 - Reopening the city centre's canals as part of a sustainable water management scheme;
 - A farm park at Forest Farm to produce food for the city; and
 - A sustainable food market in Cardiff market

Issues

4. The Environmental Scrutiny Committee made several recommendations for Cabinet to consider. The full report of the Committee and their recommendations are included as a background paper to this report.

Reason for Recommendations

5. To agree the Cabinet response to the Environmental Scrutiny Committee Recommendations to “Managing Biodiversity & Natural Environment in Cardiff”.

Financial Implications

6. The majority of the response can be accommodated within existing resources. Where this is not possible additional work will be required to identify additional funding, in particular external funding, or if this is not possible by putting forward proposals as part of the Budget setting process for 2021/22 and future financial years.

Legal Implications

7. There are no legal implications associated with this report. All Council departments and service areas have a duty to maintain and enhance the natural environment and biodiversity within the County in order to meet the Council’s duties under the Well-being of Future Generations Act 2015 and the Environment (Wales) Act 2016.

The Well-Being of Future Generations (Wales) Act 2015

8. The Act places a ‘well-being duty’ on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
9. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff’s Corporate Plan 2018-21: <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>
10. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should:
11. consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives. The well being duty also requires the Council to act in accordance with a ‘sustainable development principle’. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
 - Look to the long term

- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

<http://gov.wales/topics/people-and-communities/people/futuregenerations-act/statutory-guidance/?lang=en>

Equality Act 2010

12. The decision about these recommendations has to be made in the context of the Council's public sector equality duties. The Council also has to satisfy its public sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.

HR Implications

13. There are a number of HR implications identified in the Response to Environmental Scrutiny Committee Recommendations. A number of these have already been implemented in accordance with the Council's corporately agreed policies and processes. Any additional recommendations relating to staff will also be implemented in the same way.

Property Implications

14. There are no immediate or direct property implications associated with this report. Any future decision making and or implementation of associated projects relevant to the objectives of this report that affect Council land and property will need to be aligned with the agreed asset management and delegated authority processes.

RECOMMENDATIONS

Cabinet is recommend to agree the response to the Environmental Scrutiny Committee Recommendations to "Managing Biodiversity & Natural Environment in Cardiff" as contained in Appendix 1 of this Report

SENIOR RESPONSIBLE OFFICER	Andrew Gregory
	13 November 2020

The following appendix is attached:

- Response to Environmental Scrutiny Committee Recommendations

The following background papers have been taken into account

- Managing Biodiversity & Natural Environment in Cardiff: Report of Environmental Scrutiny Committee
- Biodiversity and Resilience of Ecosystems Duty Forward Plan, approved 2019
- “Green Infrastructure” Supplementary Planning Guidance, approved 2017