

Environment (Wales) Act 2016 Part 1 - Section 6
The Biodiversity and Resilience of Ecosystems Duty
Report 2019

Denbighshire County Council

Introduction and Context

Denbighshire County Council is a local authority in the North East of Wales. As a public Authority we must comply with Section 6 of the Environment (Wales) Act which requires us to “***seek to maintain and enhance biodiversity***”, and in so doing “***promote the resilience of ecosystems***”. To comply with the duty we must embed the consideration of biodiversity and ecosystems into our early thinking and business planning, including any policies, plans, programmes and projects, as well as our day to day activities. We must also prepare and publish a plan setting out what we propose to do to maintain and enhance biodiversity and promote resilience. A report on what the public authority has done to comply with the duty must be published by the end of 2019 and then every three years after this date. That is the purpose of this report.

In 2019, Denbighshire County Council produced a standalone Section 6 Biodiversity Duty Delivery Plan, which outlines how, as an organisation, we plan to address the biodiversity duty under Section 6 of the Environment (Wales) Act 2016 and consequently help achieve the Well-being and Nature Recovery Plan objectives over the period 2016-19.

This report should be read together, and cross referenced against, the Section 6 Biodiversity Duty Delivery Plan (**Appendix x**). The tables below are set out against the Nature Recovery Action Plan Objectives, in line with the Section 6 Biodiversity Duty Delivery Plan. They contain specific examples and text showing how Denbighshire County Council has progressed the objectives and outcomes identified in the Section 6 Biodiversity Duty Delivery Plan for the period 2016 – 2019.

As part of our own internal monitoring process, we have used Verto (a cloud based project management tool) to record our progress to protect and enhance biodiversity within Denbighshire. This is signed off by the relevant head of service and reported to the Senior Leadership Team at regular intervals to ensure progress is monitored effectively. The highlight report of this progress is included in the **appendices** of this document.

Highlights, Key Outcomes and Issues

Denbighshire County Council has worked hard to protect and enhance biodiversity throughout the county. Despite a challenging economic landscape, since 2016 Denbighshire County Council has employed both an Ecology Officer and Biodiversity Officer to provide the expertise required to ensure that our work is considering biodiversity and the environment at all levels. The expert advice provided by these officers, has helped to ensure that our plans, procedures, and actions follow best practice guidance and up to date scientific research.

- Our Key actions and achievements over this period are:
 - Biodiversity is now listed as a Corporate Priority within our Corporate Plan (2017 – 2022).
 - Denbighshire County Council has employed a Biodiversity Officer, and signed a Service Level Agreement with Cofnod to ensure that our approach is evidence based and supported by the appropriate level of expertise.
 - Denbighshire County Council declared an ecological and climate emergency in 2019, with a member led working group set up to deal with the issues of climate change and biodiversity decline within the county.
 - We have updated our approach to verge management, producing a landscape scale connective habitat which is better for wildlife including pollinators, by reducing the frequency of cuts and changing the timing. We now cut **78%** of the road network (over **1,800km** of road) just once, **after the 1st of August**. We consider this to be a strong example of how we have worked to create resilient ecological networks.
 - We have made strong progress in raising awareness amongst staff, with specialist training and talks given to key services. Further work is still required to ensure that all staff are aware of the legislation and what this means for them.
 - Further work is needed to ensure that all new projects and developments consider impacts on biodiversity at the design stage, as this is when design can be altered and impacts can be greatest.

Action Report

NRAP¹ Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels.

- Achieve the resilient Wales goal: Ensure biodiversity integration with council Well-being work-streams
 - Biodiversity is included in the DCC Corporate Plan 2017 – 2022. There are specific targets to protect and increase populations of some of our rarest and most vulnerable wildlife, including **Black Grouse, Little Tern, Sand Lizards, Adders, and Bees**. We have also committed to planting **18,000 trees** across Rhyl and Denbigh (<https://www.denbighshire.gov.uk/en/your-council/strategies-plans-and-policies/corporate-plan/corporate-priority-environment.aspx>)
 - The Ecology Officer sits on the Local Nature Partnership for North East Wales (Bionet) and regularly attends national meetings in this role.
 - Denbighshire County Council Staff attend the Conwy and Denbighshire Public Service Board Meetings, with several members of staff sitting on the environment working group.
- Implement the new biodiversity and ecosystems resilience duty
 - A standalone Section 6 Biodiversity Duty Delivery Plan was produced for Denbighshire County Council. A formal consultation was opened to all services, staff and members and their feedback included in the final plan. This went to Communities Partnership Scrutiny Committee, and was subsequently adopted following a delegated decision process. We have made good progress against the objectives set out in this plan.
 - In 2018, Denbighshire County Council employed a full time Biodiversity Officer, to assist with achieving the targets of the corporate plan and ensure we comply with the Environment (Wales) Act, 2016. The Biodiversity Officer is currently completing an audit of DCC land to see where improvements can be made, and to identify services with the greatest remit to protect and enhance biodiversity using state of the art mobile mapping technology.
 - The potential impacts of new projects and proposals on biodiversity has been included in the Well-being Impact Assessments. Work is still ongoing to enshrine biodiversity into all council plans, policies and committee reports.
- Improved understanding and awareness leads to behavioural change
 - The Ecology and Biodiversity Officers work closely with Customers, Communications & Marketing team to spread positive news stories with Denbighshire residents, council staff, and members. The

¹ Nature Recovery Action Plan for Wales

Ecology Officer has delivered a number of talks at service away days and also hosted events and activities including meadow creation with staff from different services based in our offices at County Hall, Ruthin.

NRAP Objective 2: Safeguard species and habitats of principal importance and improve their management

- Implement the suite of environmental legislation through our in house Ecological advisory service
 - The Ecology and Biodiversity Officer provide support to any staff, members, or residents who require assistance relating to biodiversity or compliance with legislation. Since 2017, the Ecology Officer has provided consultation responses for more than **500** planning applications, issuing recommendations for appropriate conditions to protect biodiversity and secure biodiversity enhancement through development.
- Ensure best evidence to underpin development control and planning policy decision making and safeguard species and habitats
 - Since 2018, Denbighshire County Council has a Service Level Agreement with Cofnod (the local environmental records centre) in place and every planning application is subjected to a search from their database, to ensure protected species, habitats and sites are protected from development.
- Increased resilience of our ecosystems by improving their diversity, extent, condition and connectivity.
 - The Ecology Officer is currently working with other Local Nature Partnership members to discuss approach to Local Nature Recovery Action Plan.
 - Denbighshire County Council staff have attended all workshops and stakeholder events to engage with NRW Area Statement creation, to ensure that local priorities are given proper consideration.

NB – Despite not currently having a Local Nature Recovery Action Plan in place, we have continued to work towards increasing the resilience of ecosystems within Denbighshire, as well as protecting some of our rarest wildlife.

- In 2018 we designated a new Roadside Nature Reserve for Adders, to protect an important hibernacula. This made national press (<https://www.telegraph.co.uk/news/2018/11/24/adders-given-new-protected-habitat-conservationists-admit-battle/>) with several very positive articles written about a much maligned species.
- In 2019, we changed our verge cutting policy to protect grassland habitats, pollinators, and a suite of other wildlife. We now cut all non-

principal roads once per year, after the 1st of August. This amounts to approximately **78%** of the road verge network in Denbighshire, and over **1,800km** of roads which receive this “Biodiversity Cut”.

- We became a “Bee Friendly” organisation in 2018, and committed to reduce our use of pesticides and provide more habitat for pollinators and engage the community. We ran a competition to design the logo with School Children across the county, and received **531 entries** from **13 schools**. **4 winners** were selected, and the schools for each of these had a “Bee Friendly” garden created, and a “Bee Friendly” education session run by the Biodiversity Officer and the Ecology Officer.
- In 2018, Denbighshire County Council became the first local authority in Wales to use the **Foamstream M600**; a herbicide free weed killer which uses hot foam and an organic foam produced from olive oil (<https://www.rhyljournal.co.uk/news/16979248.denbighshire-to-adopt-eco-friendly-weed-killing-technology/>).
- Since 2018, we have been working with the Woodland Skills Centre (Bodfari) to grow on locally sourced native wildflower seed, to provide plants for use in native planting schemes as part of our “Bee Friendly” status from Welsh Government. In 2019, we had **3,000 locally sourced, native wildflower plants** as a result of this project. Seeds were collected again in 2019, so more plants will be ready in 2020.
- Denbighshire County Council Highways, Facilities and Environmental Services worked with Countryside Services to improved urban green spaces for pollinators. In 2019, over **1.5 acres** of wildflower meadow was created through changes in management (**Appendix X**) saving approximately **38.5** hours of staff time. Countryside Services produced management plans for **5 sites (Appendix X)**, and have now mapped over **400 sites** which could be managed in this way. Highways, Facilities and Environmental Services are committed to moving towards this style of management to enhance Denbighshire County Council’s landholding for pollinators and other wildlife.
- We have committed to planting **18,000 trees** between 2017 and 2022, with the majority of these planted on a former tip site which is now used as a community nature reserve.
- Since 2016, we have created **121** sand patches in the dune system to provide suitable habitat for basking, foraging and egg laying. In 2017 we released an additional **40** captive bred sand lizards to reinforce the previously reintroduced population at the site.
- In 2019 Denbighshire County Council worked with volunteers to restore **2 ponds** for Natterjack toads. We also introduced grazing to the area around the ponds to control the vegetation and create suitable habitat. In 2019, **10** spawn strings were counted.
- Denbighshire County Council Biodiversity Officer has developed a North East Wales Adder Monitoring Programme, to formalise surveys across

known sites and resurvey sites with historic records. **11 sites** have been identified for survey, and in 2019 surveys began at 1 site.

- In 2019, the Biodiversity Officer restarted the North East Wales Dormouse Project, with colleagues in Flintshire County Council. In 2019, staff and volunteers **mapped 22 woodlands**, and **surveyed 6 woodlands**. A total of **25 new volunteers** from the local community were trained to undertake surveys.
- In 2019, the Biodiversity Officer developed the Denbighshire Otter Monitoring Project. This involved mapping **521 historical otter sightings**, and identifying sites and access points for future surveys. The biodiversity Officer is currently supervising **2 university students** who are completing surveys for their assignments.
- Denbighshire County Council monitors a population of Lesser Horseshoe bats living in the attic of one of our buildings (Nantclwyd y Dre, Ruthin). The number of bats has risen from 85 in 2017, to **88 in 2019**.
- Denbighshire County Council is part of the North East Wales Great Crested Newt monitoring program, **monitoring 15 ponds** for their populations of Great Crested Newt annually.
- Denbighshire is the only county where the Bithynian Vetch has been recorded in recent years. We collected seeds from the last known wild specimen (potentially the last individual in Wales), and grew them in our heritage site garden at Nantclwyd y Dre, Ruthin. 18 plants were successfully grown, the seed of which were returned to the site of collection. In 2019, in excess of **20 wild plants were recorded** at this site.

NRAP Objective 3: Increase the resilience of our natural environment by restoring degraded habitats and habitat creation

- Habitat creation for pollinators with wider environmental benefits.
 - Denbighshire County Council became the third bee friendly council in Wales. The Ecology Officer is now the Bee Friendly Champion for Conwy County and also sits on the Pollinators Taskforce run by Welsh Government to tackle the issue of pollinator decline. The Biodiversity Officer is now also a Bee Friendly Champion for Denbighshire.
 - Denbighshire County Council created 1.5 acres of wildflower meadow, and alongside our latest verge policy, potential wildflower site mapping project, and wildflower growing project, we have started work to create a network of habitat which will protect and connect pollinators throughout the county.
- Restoring degraded habitat and improving wider landscape connectivity.

- A new verge policy was introduced in 2019. We now have the best policy in Wales for biodiversity, with 78% of the road network cut after the 1st of August. This allows wildflowers to set seed, and is vital to ensure that wildflowers can survive on roadsides. It also provides pollinating insects with a food source throughout the spring and summer, and acts as a corridor for wildlife to move through the landscape.
- Habitat creation
 - A tree planting strategy is in place, and we are progressing well towards our target of 18,000 trees planted by 2022. However, we are running out of places to plant trees, and may need to consider strategic purchase of land to allow new tree planting, which could provide multiple benefits if planted in the right locations, and in line with the attributes of ecosystem resilience.
- Restore areas of degraded habitat and increase resilience of protected sites
 - Denbighshire County Council have created site management plans for 5 areas within the Streetscene portfolio. Countryside Service are working with Facilities, Assets and Housing team to create more. We are utilising state of the art mobile mapping technology to record sites, and help operatives switch to a more wildlife-friendly approach. We are also using specialist equipment to cut, rake and collect grass from the areas we identify, and will result in diverse and attractive grasslands in towns throughout the county.

NRAP Objective 4: Tackle key pressures on species and habitats

Include actions to:

- Climate change
 - Denbighshire County Council has included specific targets in our Corporate Plan 2017 -2022 to reduce carbon emissions from Council assets by at least 15% by 2022, improve the energy efficiency of Council houses, and increase renewable energy provision across the county.
 - In July, Denbighshire County Council declared an Ecological and Climate Emergency, with the aim of cutting carbon emissions to Net Zero by 2030, and reverse the decline in biodiversity. The Climate Change and Ecological Emergency Working Group is a cross party member-led group, (with assistance from senior and specialist officers), established to carry out the first comprehensive review of the council's carbon footprint, from social care and housing to waste and transport
- Combat invasive species
 - Standard conditions are now used in relevant planning applications to ensure that biosecurity risk assessments are in place where required, and that planting schemes do not contain invasive species. Currently,

The Clwysian Range and Dee Valley Area of Outstanding Natural Beauty team and Denbighshire Countryside Services work on DEEINNS project to tackle Himalayan Balsam in the Dee catchment. We are also working in partnership with the third sector to monitor and control invasive North American Mink in the north of Denbighshire.

- Reduce key pressures on habitats and species of principle importance for conservation
 - The species listed in our corporate plan are, with the exception of the little tern, species of principal importance (as listed on Section 7 of the Environment (Wales) Act. Where the key pressures for these species are known (e.g. habitat loss for Natterjack Toad) we are working hard to tackle this. It should be noted that this list contains 544 species and 54 habitats and our capacity for species specific conservation work is limited.
- Reduce pressures on habitats and species related to reduced habitat options in new builds and building maintenance.
 - The Ecology Officer works with the Planning Officers to ensure that all appropriate developments contain provision for wildlife under “enhancement” remit given in Planning Policy Wales - Edition10.
 - Where buildings are being upgraded, measures are put in place to ensure that they contain provision for wildlife. Most recently, 15 swift boxes were installed on the Caledfryn Offices, in Denbigh, whilst scaffolding was in place for other maintenance works.
 - Although considerable progress has been made to reduce the pressure on biodiversity as a result of development, work is still needed to ensure that new buildings contain features for biodiversity and these are planned at the design stage, rather than retrofitted or considered after scheme design. This will be the focus of work in the next 3 years.

NRAP Objective 5: Improve our evidence, understanding and monitoring

Include actions to:

- Collect evidence:
 - Denbighshire Countryside Service currently assist with, and coordinate, a wide variety of species surveys. These surveys are produced in coordination with NRW, third sector partner organisations, and to comply with S106 agreements through development. Surveys include (but are not limited to) black grouse, sand lizard, adder, little tern, natterjack toad, dormice, lesser horseshoe bat, “bee friendly” areas, otters, and water voles. Data is shared with the Local Environmental Records Centre (Cofnod), with whom we have a Service Level Agreement, and used in conservation data sets to assess population trends in Wales and the UK.

- Develop opportunities to raise understanding of Denbighshire's Biodiversity
 - Denbighshire Countryside Service currently offer a number of volunteer opportunities, and these are vital for the success of several projects such as the little terns (over **2,000 volunteer hours** per annum). The Ecology Officer regularly delivers training and activities to other services, and works with staff and members to improve understanding of biodiversity and how they can help conserve nature. Countryside Services regularly run community events (wildflower planting, bat walks, tree planting, hedge laying etc). The Biodiversity Officer is developing strong links with a number of local universities providing guest lectures and ensuring that our projects support, and are supported by, up-to-date scientific information
- Standardise data capture and action reporting
 - Denbighshire County Council have a service level agreement with the Local Environmental Records Centre (Cofnod) allowing us to access data, and feed into datasets. We have recently invested in new mobile mapping software (ArcGIS) to standardise our work on "Bee Friendly" areas within the DCC portfolio. We hope to progress strongly, and aim to be sector leading when it comes to spatial data collection and reporting. We currently have limited capacity to report directly to national datasets as the former Local Biodiversity Action Plan Reporting website (BARRS) has been withdrawn, and no replacement has been made available.

NRAP Objective 6: Put in place a framework of governance and support for delivery

Include actions to:

- A council who is fully compliant with legislative and policy requirements and proactive in biodiversity conservation.
 - The addition of a Biodiversity Officer has greatly increased capacity, and created many opportunities to protect and enhance biodiversity in Denbighshire. There are still issues with our approach being reactive in some instances, when better results would have been achieved with earlier consideration of the Environment (Wales) Act, Section 6 Duty. We are focusing our efforts on further increasing awareness and understanding of this legislation and approach, so that all projects and proposals consider biodiversity and ecosystem resilience from the outset.
- Resources are provided for local biodiversity action delivery
 - The creation of a Biodiversity Officer post has allowed considerably more work to be completed on the ground, with important projects reinvigorated and the number of volunteers and communities engaged

also greatly increased. The SLA with Cofnod, has also allowed us to research our work as never before.

- Neither the Ecology Officer nor the Biodiversity Officer have specific budget for spend. Funding for project work is generally secured through external grants which has resulted in several excellent projects (e.g. ENRaW and Landfills Disposal Tax Little Tern Protection). However, it should be noted that **public sector expenditure on biodiversity in the UK, as a proportion of GDP, fall by 42% since a peak in 2008/9** and this is a potential risk to success if we are unsuccessful when applying for funding.

- A framework is in place to support and govern local biodiversity action
 - The Ecology Officer currently sits on the Local Nature Partnership and attends national working group meetings. The Ecology Officer also helps to coordinate the Local North East Wales Biodiversity Network meetings to ensure that local/national issues are appropriately communicated.

- Establish a framework of governance internally for council projects which focus on biodiversity or sustainability
 - This is currently in development.

- Review and update Biodiversity Duty Delivery Plan in line with timings set out in Environment (Wales) Act guidance
 - The adopted Biodiversity Duty Delivery Plan will be updated, following a review of this report, to ensure our efforts focus on the areas which require it most. A review of data collection will be undertaken, following consultation with Welsh Government, to ensure that the data we collect to evidence our actions is in line with their expectations.

Review of s6 duty

- A review of the progress against Section 6 of the Environment (Wales) Act, 2016 will be undertaken in Quarter 1 of 2020. The results will be fed back into the Biodiversity Duty Delivery Plan, which will be updated to cover the next three years and highlight specific targets such as those discussed throughout this report.