South East Wales
Corporate
Joint Comittee

Biodiversity and Resilience of Ecosystems Duty Report 2022

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

Environment (Wales) Act 2016 Part 1 - Section 6

The Biodiversity and Resilience of Ecosystems Duty

Report 2022

South East Wales Corporate Joint Committee ('SEWCJC')

Introduction and Context

1. The SEWCJC is a regional organisation made up of the following 11 organisations across South East Wales:

    - Blaenau Gwent County Borough Council
    - Bridgend County Borough Council
    - Caerphilly County Borough Council
    - The County Council of the City and County of Cardiff
    - Merthyr Tydfil County Borough Council
    - Monmouthshire County Council
    - Newport City Council
    - Rhondda Cynon Taff County Borough Council
    - Torfaen County Borough Council
    - The Vale of Glamorgan Council
    - The Brecon Beacons National Park Authority (BBNPA)

2. The members of the SEWCJC are represented by the 10 Leaders of the constituent Local Authorities and a representative of the BBNPA who make up the SEWCJC Board and meet 4 times per year to undertake the business of the organisation.

3. The SEWCJC has a number of functions prescribed to it, these are:

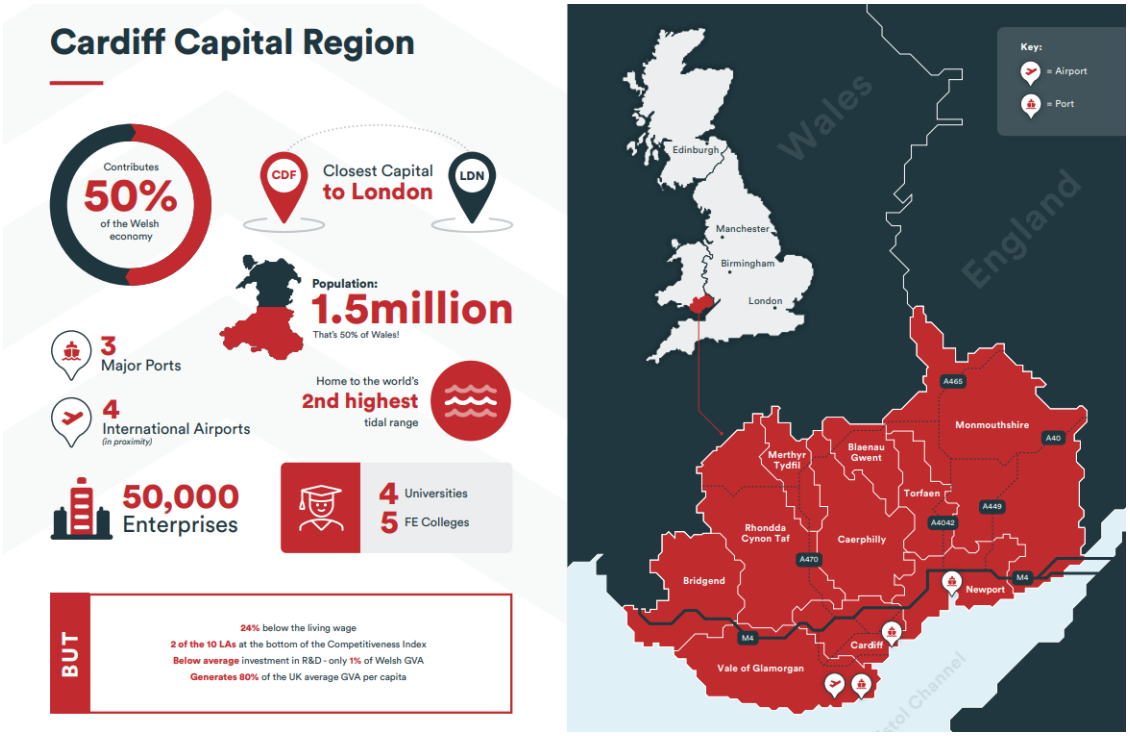
    i. The preparation of a Regional Transport Plan.
    ii. The preparation of a Strategic Development Plan
    iii. and the exercise of Economic Well-being powers.

4. The SEWCJC members are entitled to vote in relation to any matter to be decided by the SEWCJC, except that the BBNPA member may only vote where the matter to be decided is about strategic planning functions.

5. Further information on the SEWCJC and its relationship with the Cardiff Capital Region City Deal (CCRCD) can be found here: https://www.cardiffcapitalregion.wales/governance-advisories/governing-bodies/

6. Papers from the SEWCJC meetings and information on how it is undertaking these duties and responsibilities, including its Annual Business Plan for the year 2022/23 can be found: https://www.cardiffcapitalregion.wales/about-ccr/governance-papers/

7. Below is an illustration of the region and the scale of the area covered:



8. It is useful to start by recognising that the work of the SEWCJC at the regional level is on top of the work of the constituent councils, who are subject to the same public sector duties. Therefore this report will solely focus on the activities of the SEWCJC and may at times refer to the work of constituent councils.

9. The SEWCJC is in its first full year of formal operation and many of the duties were formally conferred upon SEWCJC's from July 2022. Therefore this report will only cover this period.

10. The activities of the SEWCJC to date have been limited to the bare minimum with a total investment of approx. £100k This is due to some outstanding issues that prevent the SEWCJC from operating without incurring either additional

costs, or potential detriment to staff. The activities in the bare minimum approach were:

a. Support Services including:
    i. Part time SEWCJC Officer costs – provided by CCR
    ii. Statutory Officer & HR support – provided by Cardiff Council
    iii. Transactional Support – provided by Rhondda Cynon Taff CBC
b. Insurances
c. External Audit – provided by Audit Wales

11. As the emphasis for the period has been on the set up of the organisation with the appropriate governance and constitution in place, the majority of activity beyond this has been around raising awareness of the SEWCJC with the constituent councils, including briefing sessions with Cabinet Members and town hall events to help understand how CCRCD delivers now and the SEWCJC will deliver in the future.

12. All of the investments above and any approach as to how the SEWCJC is governed or will operate has been assessed against the Well-being of Future Generations (Wales) Act (WFG) at every stage. All papers to the SEWCJC Board have a WFG assessment. As part of these assessments, the SEWCJC has committed to develop its own corporate policies in response to key duties in respect of Equality and Human Rights and Nature and Biodiversity. See the way forward below on how we will aim to achieve this.

13. All of this activity, whilst learning the positive activities that take place within the CCRCD, which will help shape thinking as the SEWCJC develops into a more operational organisation going forward, has also raised awareness in both organisations of The Nature Recovery Action Plan (NRAP) for Wales and its six objectives.

Key Outcomes and Issues

14. As the SEWCJC moves into the next iteration of its existence, delivering the key functions of transport and strategic development planning at the regional level, due consideration will need to be given to how, as an organisation, the SEWCJC can develop an appropriate Section 6 Duty Plan.

15. The transition of the CCRCD into the SEWCJC will likely come over the next 12-24 months, bringing with it a significant portfolio of investments in a wide range of projects and programmes with a view to driving up GVA, increasing opportunity and investment in the region and building a revolving investment fund.

16. CCRCD already has stated aims when it comes to environmental investments, including CO2 emissions, energy usage, pollution and contamination and the management of natural resources and as CCRCD transition activity into the SEWCJC, these aims will embed more and more of this in the SEWCJC planning and delivery models.

17. The foundations for our Section 6 Duty Plan will be incorporated into its 2023/24 Business Plan activities. These foundations will increase as the delivery of activity increases throughout the transition period. Culminating in a section 6 Duty Plan, likely incorporated into a corporate plan, linked to the corporate policy identified above. That can give confidence that the SEWCJC is operating within the framework provided in the Environment (Wales) Act 2016 Part 1 - Section 6

Next Steps

18. As the SEWCJC has only been operational for a short time, and limited to a 'bare minimum' model, it's emphasis to date has been to establish its' governance and constitutional framework. As such, and given the limited scope of functions / powers available to it, there is limited information to provide in respect of Biodiversity specific actions.

19. As the SEWCJC moves into the next iteration of its existence, delivering the key functions of transport and strategic development planning at the regional level, due consideration will need to be given to how, as an organisation, the SEWCJC can develop an appropriate Section 6 Duty Plan.

20. The transition of the CCRCD into the SEWCJC will develop over the next 12-24 months, bringing with it a significant portfolio of investments in a wide range of projects and programmes with a view to driving up GVA, increasing opportunity and investment in the region and building a revolving investment fund.

21. CCRCD already has stated aims when it comes to environmental investments, including CO2 emissions, energy usage, pollution and contamination and the management of natural resources and as CCRCD transition activity into the SEWCJC, these aims will embed more and more of this in the SEWCJC planning and delivery models.

22. The foundations for our Section 6 Duty Plan will be incorporated into its 2023/24 Business Plan activities. These foundations will increase as the delivery of activity increases throughout the transition period. Culminating in a section 6 Duty Plan, which will be incorporated into a corporate plan, linked to the corporate policy identified above. That can give confidence that the

SEWCJC is operating within the framework provided in the Environment (Wales) Act 2016 Part 1 - Section 6.
Review of s6 duty
23. Given the above, the review is not taking place at this point. A review will take place when the SEWCJC begins delivering its key functions. Prior to this the SEWCJC will develop a s.6 plan, which will also set out the process for regular periodic review of the s.6 duty