

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 19 June 2002
Time: 2.00 to 5.15pm
Venue: Committee Room 2, National Assembly Building

BIODIVERSITY REVIEW: LEGISLATIVE AND POLICY CONTEXT

Purpose

1. To brief the Committee on the legislative and policy context of Local Biodiversity Action Plans, for the biodiversity review.

Background

2. Local Biodiversity Action Plans (LBAPs) originate from the programme of action for the conservation and sustainable use of biodiversity that the UK drew up in fulfilment of its obligation under Article 6 of the 1992 UN Convention on Biological Diversity. *The UK Biodiversity Action Plan* (1994) proposed that costed action plans with targets should be drawn up to conserve the UK's most rare and/or threatened habitats and species. A UK Steering Group initially co-ordinated the production of these national habitat and species action plans. In its 1995 report, the Steering Group recommended that the mechanism of Local Biodiversity Action Plans should be promoted as a means of translating national targets into local action, and also to provide the biodiversity element of local strategies for sustainable development.

3. In Wales and at the UK level, Local Issues Advisory Groups were set up to provide guidance and share good practice on the production and implementation of LBAPs. The first UK Guidance Note set out in more detail the functions of LBAPs, as follows:

- To ensure that national targets for species and habitats, as specified in the UK Action Plan, are translated into effective action at the local level;
- To identify targets for species and habitats appropriate to the local area, and reflecting the values of people locally;
- To develop effective local partnerships to ensure that programmes for biodiversity conservation are maintained in the long term;
- To raise awareness of the need for biodiversity conservation in the local context;
- To ensure that opportunities for conservation and enhancement of the whole biodiversity resource are fully considered;
- To provide a basis for monitoring progress in biodiversity conservation at both local and

national levels.

4. As at June 2002, ten LBAPs have been published in Wales, with a further eight due to be published in the summer or early autumn (see Annex). The main barriers to progress have been in relation to funding (particularly for staff support for the partnerships) and information. Over 2000-01 and 2001-02, the Countryside Council for Wales contributed £660,000 to local biodiversity action from its grants programme. The Welsh Assembly Government has allocated £200,000 to LBAPs in 2002-03, which is also being provided through CCW grants.

5. Information on the important habitats and species that occur in local areas in Wales is now available as a result of initiatives by CCW, the Royal Society for the Protection of Birds and other partners. In 2001, the Wales Biodiversity Group appointed a full-time LBAP facilitator to help LBAP partnerships by sharing advice, information and good practice (for example, recent seminars have addressed marine biodiversity, reporting, and integrating biodiversity into community strategies).

The Countryside and Rights of Way (CROW) Act 2000

6. S.74 of the CROW Act places duties on the National Assembly for Wales in relation to biodiversity conservation. These duties are intended to enshrine in statute the biodiversity action plan process. The Assembly must have regard to biodiversity in the exercise of all its functions; and take, or promote the taking by others of, steps to enhance the conservation of habitats and species included on a list or lists published by the Assembly. Consultation has taken place on the proposed contents of the S.74 list, which will be published later this year. S.74 does not apply to local authorities, but local partnerships may be among those included in measures taken by the Assembly in pursuit of its duty to promote steps to enhance biodiversity conservation.

7. The Welsh Assembly Government has made a commitment in *Plan for Wales 2001* to support local biodiversity action plans. In addition to the funding already described, the importance attached to LBAPs has been reflected in the creation of a new National Assembly for Wales Performance Indicator that requires LBAPs to be in place for all local authority areas.

Other mechanisms to support biodiversity

8. Biodiversity action plans (BAPs) are just one part of the UK's approach to the conservation of its natural biological diversity, which has three main strands:

- Site-based protection and management of the biodiversity occurring in a particular geographical area (including Natura 2000 sites and Sites of Special Scientific Interest);
- Special protection measures for certain species wherever they occur;
- "Wider countryside" measures (ie not confined to designated sites) – these include BAPs and agri-environment schemes.

9. Many of the UK's conservation measures, particularly those relating to site and species protection, are derived from international obligations, such as the Bern and Bonn Conventions and

the EU Birds and Habitats Directives.

10. BAPs provide a distinctive contribution to conservation, which complements other measures, because they:

- Include biological targets for the maintenance and (where possible) increase of the population/ extent of the species or habitat concerned and, if appropriate, of its range or distribution;
- Are potentially applicable anywhere in the country – including urban and rural areas;
- Are rooted in broad-based partnerships of the public, voluntary and private sectors, particularly at the local level.

Recommendation

9. The Committee is invited to consider the legislative and policy background to LBAPs.

Nicola Donlon

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ANNEX

Progress in preparing LBAPs in Wales – as at June 2002*

LBAP Area	Framework	Draft	Published
Anglesey			ü
Brecon Beacons NPA			ü
Carmarthenshire			ü
Ceredigion		ü	
Conwy		ü	Pub by end of Aug & launch
Denbighshire		ü	Framework to be published end of May

Flintshire		ü	Launch Sept
Gwynedd		ü	Launch End of Aug?
Pembrokeshire			ü
Powys		ü	Autumn launch?
Snowdonia NPA			ü
Wrexham			ü
Bridgend		ü	Launch end of Aug
Caerphilly			ü
Merthyr Tydfil		ü	
Neath Port Talbot			ü
Rhondda Cynon Taff			ü
Swansea		ü	Launch end of Aug
Torfaen		ü	Launch Aug 28th
Vale of Glamorgan		ü	
Blaenau Gwent		ü	Publish June; Launch Aug
Cardiff			ü
Monmouthshire	ü		
Newport		ü	

*Based on information compiled by the LBAP Facilitator from LBAP partnerships