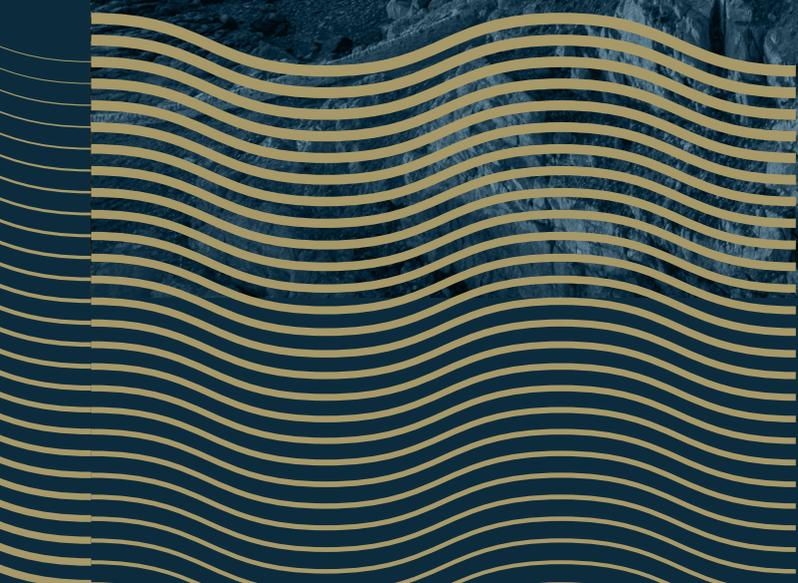




TRINITY HOUSE

JUNE 2021

# Biodiversity Plan and Report (Wales)



# 1 LEGISLATIVE CONTEXT

## 1.1

Section 6 of the Environment (Wales) Act 2016 places an obligation on public authorities such as Trinity House to publish a Biodiversity Plan. The plan is to set out “*how it shall maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.*”

This document comprises that Plan.

## 1.2

This plan is required to “take account of the resilience of ecosystems, in particular the following aspects—

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems (including their structure and functioning);

- (e) the adaptability of ecosystems.

## 1.3

The 1992 Convention on Biological Diversity (CBD) carries an internationally accepted definition of biodiversity as being “... *the variability among living organisms from all sources, inter alia, terrestrial, marine and other aquatic ecosystems and ecological complexes of which they are part, this includes diversity within species, between species and of ecosystems*”.

## 1.4

As well as the production of a plan, The Act additionally requires, in 2019 (and before the end of every third year after 2019) Trinity House to publish a report on what it has done to maintain and enhance biodiversity in the exercise of functions in relation to Wales. Accepting that the 2019 date has not been met, this document comprises that report.

---

# 2 TRINITY HOUSE’S FUNCTIONS IN RELATION TO WALES

## 2.1

As the General Lighthouse Authority (GLA) for England, Wales, Gibraltar and the Channel Islands, Trinity House is required and empowered by the Merchant Shipping Act 1995 with regard to the superintendence and management of all (operational) lighthouses, buoys and beacons in Wales. Together, these are known as aids to navigation (AtoN).

## 2.2

As well as operating its own general AtoN, Trinity House has superintendence responsibility for AtoN operated by Local Lighthouse Authorities (commonly ports).

Additionally, Trinity House has powers of wreck-marking and removal and acts as a consultee and expert witness in third party applications for planning permission, marine licences, development orders and related appeals and inquiries.

## 2.2

Of the lighthouses that Trinity House operates, 15 of these are in Wales. Some of these lighthouses are surrounded by land owned by Trinity House but the area of land owned by Trinity House in Wales is not extensive.

### 3 EXTENT TO WHICH PROMOTING RESILIENCE OF ECOSYSTEMS IS CONSISTENT WITH THE PROPER EXERCISE OF TRINITY HOUSE'S FUNCTIONS

3.1

Trinity House's funding is derived from Light Dues – a ring-fenced tax on shipping. In liaison with Trinity House, The Northern Lighthouse Board and the Commissioner of Irish Lights (the three GLAs covering the British Isles), the UK and Irish Governments set the level of light-dues. Trinity House collects those light dues on behalf of Government where it is paid into the General Lighthouse Fund (GLF).

3.2

In this context, it must be noted that Trinity House carries out its function at no expense to the UK tax payer. The recipient of the aids to navigation service (the mariner) is therefore the same as that which funds the service.

3.3

The rate of Light Dues is set by the UK Government. Light dues are reviewed by the UK Government “*on an annual basis to ensure that the General Lighthouse Authorities are challenged to provide an effective and efficient service that offers value for money to light dues payers.*”

(<https://www.gov.uk/government/speeches/light-dues-for-the-year-2021-to-2022>).

3.4

The Lights Advisory Committee acts as an advisor to the Secretary of State on light dues matters. It is convened by the UK Chamber of Shipping, and comprises representatives of payers of light dues. Port operators and cargo interests who are affected by light dues are also represented. The arrangement highlights the unique funding arrangement whereby the payers of light dues are also the recipient of the service that they finance.

3.5

The Government's Framework for General Lighthouse Authorities can be read here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/622239/general-lighthouse-authorities-framework.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/622239/general-lighthouse-authorities-framework.pdf)

To quote paragraph 2.1.4, “*The DfT (on behalf of the Secretary of State for Transport) has a duty to ensure the effective management of the GLF (General Lighthouse Fund) and to enable the adequate provision of AtoN at the least cost and to deliver Value for Money*”

3.6

All of this means that Trinity House is obliged to exercise its functions in a manner that affords best value to the GLF in the provision of its AtoN service. Increasing its costs as a result of activities that are unrelated to its functions and are not a specific legal requirement (such as maintaining or enhancing biodiversity) may therefore be seen to be *ultra vires*.

3.7

However, where there remain opportunities to maintain or enhance biodiversity whilst still complying with the principles outlined above, Trinity House is at liberty to pursue these and is committed to doing so. Having such a specific role Trinity House's potential to materially influence biodiversity in Wales is limited in practice - beyond the positive benefits that exist in Trinity House carrying out its function effectively.

3.8

That benefit to biodiversity however is by no means a small one. By fulfilling its function effectively and efficiently, Trinity House plays a major role in preventing marine accidents. It should go without saying that the environmental consequences of marine accidents (not least to the interests of biodiversity) can be catastrophic to marine life, birds and terrestrial shore flora and fauna.

## 4 REVIEW OF TRINITY HOUSE'S CURRENT APPROACH TO MAINTAINING AND ENHANCING BIODIVERSITY

### 4.1

It is challenging and perhaps fruitless to disentangle an approach to biodiversity from other environmental plans, policies and initiatives that Trinity House is engaged in. Ongoing attempts (for example) to reduce CO<sub>2</sub> emissions, reduce plastic, paper and water use all improve the prospects for pollution-sensitive species and global warming - and so for biodiversity.

### 4.2

Trinity House works to an Environmental Management System that is certificated as being in conformance with the ISO 14001 standard. This international standard requires organisations to establish an environmental management system, the aim of which is *“to provide organizations with a framework to protect the environment and respond to changing environmental conditions in balance with socio-economic needs. It specifies requirements that enable an organization to achieve the intended outcomes it sets for its environmental management system”*.

### 4.3

Key to compliance with the standard is maintaining an Environmental Policy that provides a framework for setting environmental objectives and includes a commitment to the protection of the environment, and other specific commitment(s) relevant to the context of the organisation (including climate change). At Trinity House, the Environmental Policy (Health & Safety & Environmental Objectives Policy) is reviewed annually and is available for download here;

<https://www.trinityhouse.co.uk/about-us/media-centre/publications>

### 4.4

Trinity House's Environmental Policy informs its Environmental Plan (Aspects & Impacts Register & Corporate Environmental Plan) which is reviewed quarterly. An Environmental Working Group meets quarterly and monitors

the implementation of that plan.

### 4.5

Whilst the very specific objective of maintaining and enhancing biodiversity is not referenced in any of these elements of the Trinity House Management System, it has long been an integral part of how we work. Specific actions / initiatives that work to maintain and enhance biodiversity that have come out of it (some completed, some ongoing) have included:

- Management agreements with NRW and the RSPB to manage the designated SSSI/ SPA site on The Skerries;
- In liaison with NRW, to work to an agreed method of mowing and scarifying the wildflower meadow at Nash Point Lighthouse to the benefit of the SSSI there;
- Collaboration with partners such as the RSPB on biosecurity plans;
- Staff Environmental Training and Roadshows;
- Work with NRW towards an across-Wales SSSI assent covering all routine works at Trinity House terrestrial stations, and allowing Trinity House to plan works to times and methods of least impact on designated features;
- Membership of Relevant Authority Groups such as the Association of Severn Estuary Relevant Authorities (ASERA).

### 4.6

With the majority of Trinity House's lighthouses being positioned in sites of national and international habitat designation, Trinity House has various obligations in carrying out its operations. Under the Wildlife and Countryside Act 1981, Trinity House is a Section 28G Authority and so must have due regard to the interests of SSSIs. Where planned works fall within the list of 'potentially harmful operations', Trinity House must notify NRW and seek their assent.

#### 4.7

In respect to the Conservation of Habitats and Species Regulations 2017 (“the Habitat Regs”), Trinity House is a Competent Authority and must therefore consider the potential of any plan or project to cause significant harm to designated features of European Sites. Where there is potential, Trinity House must undertake an Appropriate Assessment and consult with NRW.

#### 4.8

The Habitat Regs also apply in the marine environment. Trinity House is a ‘Relevant Authority’ as well as a Competent Authority. The Habitat Regs require that a “*competent authority must take such steps in the exercise of their functions as they consider appropriate to secure ...the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom,*

*including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive (measures to maintain the population of bird species)”*

#### 4.9

The Marine and Coastal Access Act 2009 additionally places responsibilities upon Trinity House in respect to Marine Conservation Areas. Here, Trinity House is required to “*exercise its functions in the manner which the authority considers best furthers the conservation objectives stated for the MCZ” and “where it is not possible to exercise its functions in a manner which furthers those objectives, exercise them in the manner which the authority considers least hinders the achievement of those objectives.”*

## 5 THE ENVIRONMENTAL PLAN AND BIODIVERSITY OBJECTIVES

Trinity House considers that its Biodiversity Plan Objectives for Wales are incorporated within its Environmental Plan. The objectives within the (draft) 2021-22 Plan are summarised as follows, together with a brief analysis of the applicability of each objective to the goal of maintaining and enhancing biodiversity

5.1

### **OBJECTIVE 1: Follow UK Government sustainability regulations and support Governmental sustainability ambitions in our operations**

One of the drivers of the Department for Transport's Operational Sustainability Strategy 2021-2025 is the United Nations 2030 Agenda for Sustainable Development which includes 17 UN Sustainable Development Goals.

Sustainable Development Goal 15 is devoted to "protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss".

5.2

### **OBJECTIVE 2: To establish a system of reporting in line with Greening Government Commitments including the reporting on greenhouse gas emissions**

Through its Greening Commitment, the UK Government is committed to;

- Reduce its emissions
- Improve its waste management
- Reduce its water use
- Buying 'greener' products and services
- Being open and transparent (with specific reference to biodiversity)

<https://www.gov.uk/government/publications/greening-government-commitments-2016-to-2020/greening-government-commitments-2016-to-2020>

Under Objective 2, Trinity House will report as part of the Department for Transport's departmental reporting and will share in DfT's objectives. All of the above commitments contribute positively to maintaining and enhancing biodiversity.

5.3

### **OBJECTIVE 3: To reduce paper usage**

Reduced paper consumption means reduced impact on forests where the potential impact on biodiversity is fairly clear. Additionally however there are indirect impacts upon biodiversity through associated pollution / emissions resulting from the transport, ink production and supply, refuse/ recycling systems, photocopy & printer machinery and so on. The resulting greenhouse gases are linked to global warming and so sea level rises with a devastating impact upon biodiversity globally – not least in sensitive coral reef systems.

5.4

### **OBJECTIVE 4: To reduce avoidable plastic waste**

Any reduction in plastics use can help reduce the amount of microplastics in the sea. Microplastics have been shown to be harmful to ecosystems and so biodiversity. Additionally, as with paper, reducing single use plastics may reduce pollution/ emissions, some of the consequences of which have already been described.

5.5

### **OBJECTIVE 5: To review and look for opportunities to reduce the emissions compositions of our pool vehicles fleet**

Localised pollution from vehicle emissions are harmful to more sensitive species and so to the interests of biodiversity. In a wider range, pollution levels impacts the type of species that thrive – very noticeable for example in the type of lichen that is found in the vicinity of more urban areas. On a global level, the greenhouse

gases emitted contribute towards sea level rise – some of the consequence of which for biodiversity have already been described

5.6

**OBJECTIVE 6: Where practical and feasible, to seek to remove mercury and to investigate viable alternatives to mercury bearings**

Mercury is used as a bearing for the optical apparatus in some historic lighthouses. It is highly toxic and does not readily degrade. It is harmful to ecosystems and therefore to the interests of biodiversity.

5.7

**OBJECTIVE 7: To conduct a feasibility study to look into a shore side power supply for the new vessel and the THV *Galatea***

Noted that the THV *Alert* already uses shore side power.

Some of the impacts on biodiversity from burning fossil fuel have already been outlined.

5.8

**OBJECTIVE 8: To look for opportunities to reduce the environmental impact of helicopter**

**operations**

Some of the impacts on biodiversity from burning fossil fuel have already been outlined.

5.9

**OBJECTIVE 9: To work towards identification of reduction of risk opportunities in all lighthouse refueling and fuel storage operations**

Fuel leaks/accidents can be very damaging – especially to marine ecosystems and biodiversity. This objective will seek to further reduce that risk.

5.10

**OBJECTIVE 10: To consider sustainability in all aspects of Improved Ways of Working post pandemic**

Changed ways of working has the potential to reduce travel time, office power consumption, and the consumption of resources such as paper. This in turn may reduce pollution and Greenhouse Gas emissions – some of the potential benefits of which have already been outlined with respect to biodiversity.

---

## 6 REVIEW

6.1

Plans are to be reviewed by the end of every third year after 2019. This means that the next review will be due in 2022. As the current

Environmental Plan runs until the end of March 2022, the objectives outlined in section 5 will be reviewed at that time.



TRINITY HOUSE

# For the benefit and safety of all mariners

**Trinity House**

Tower Hill, London EC3N 4DH

+44 (0) 20 7481 6900

[enquiries@trinityhouse.co.uk](mailto:enquiries@trinityhouse.co.uk)

[trinityhouse.co.uk](http://trinityhouse.co.uk)

