

| Report of  | Meeting | Date                       |
|--|---------|----------------------------|
| Director of Communities<br>(Introduced by Cabinet<br>Member (Neighbourhood<br>and Waste Services)) | Council | 19 <sup>th</sup> July 2023 |

## Biodiversity Action Plan

|                              |                |
|------------------------------|----------------|
| Is this report confidential? | No             |
| Is this decision key?        | Not applicable |

### Purpose of the Report

1. To seek Members approval and adoption of the draft Biodiversity Action Plan for South Ribble.

### Recommendations to Council

2. That the report be noted, and the Biodiversity Action Plan is adopted.

### Reasons for recommendations

3. Across the world biodiversity is under threat, either from pollution, development or changes in the climate. The lives we currently lead compromises our biodiversity. Habitats are being lost or fragmented, isolating plant and animal communities into ever smaller areas.
4. Under the Natural Environment and Rural Communities Act 2006, and recently updated by the Environment Act 2021 public authorities in England are under a legal duty to have due regard to the conservation and enhancement of biodiversity in the exercise of its functions. The Environment Act 2021 requires the creation of 48 'Local Nature Recovery Strategies' (LNRS) to cover all areas of England to reverse the ongoing decline of nature.
5. LNRS, alongside the requirement for Biodiversity Net Gain (BNG) from development, means that Local Authorities have a proactive role to play in nature recovery.
6. Public bodies must also determine what action is required to conserve and enhance biodiversity in the exercise of its functions and must determine such policies and objectives as appropriate to achieve this.

7. They must also publish biodiversity reports providing a summary of the action taken and planned and detailing the resulting biodiversity gains achieved.

### Other options considered and rejected

8. Do nothing, this would negatively impact on the biodiversity of the borough and result in the council failing in its statutory duties to consider, conserve and enhance biodiversity in the exercise of its duties.

### Corporate priorities

9. The report relates to the following corporate priorities:

|  |   |
|--|---|
| An exemplary council                         | Thriving communities                            |
| A fair local economy that works for everyone | <b>Good homes, green spaces, healthy places</b> |

### Background to the report

10. Biodiversity is the term that describes the biological variety of our planet. It includes all plants and animals and the ecosystems that support them and us. It helps to shape the landscape of our area and our local distinctiveness and prosperity.
11. It contributes to good mental and physical health and wellbeing and has a role to play in our response to Climate Change, Flooding, air, water and land quality.
12. Of those areas specifically identified as providing important biodiversity over 40% of are showing signs of declining. In addition, over 30% of priority species have also been identified as struggling. Given the importance of these, action needs to be taken to protect them, and this is specifically identified within the legislation.
13. The Natural Environment and Rural Communities Act 2006 has recently been updated by the Environment Act 2021, reemphasising the Government's commitment to protection wildlife across the country.
14. The changes set requirements for public bodies and the wider population. These include:
  - The Local Authority must publish a biodiversity report and update on actions,
  - Ensuring, by condition if required, a 10% net gain on biodiversity for all planning applications above a single dwelling.
15. The Environment Act 2021 received royal consent on 9<sup>th</sup> November 2021, Chapter 1 of which aims to 'Improve the Natural Environment' and introduces into law a number of requirements and the ability for the Secretary of State to set Regulations to achieve this aim.
16. Following the enactment of the legislation a Biodiversity Strategy was adopted by Full Council in July 2022 alongside an Interim Action Plan for 12 months.
17. Progress on the Interim Action Plan has been included in Appendix A.

18. One of the Actions in the Interim Plan was to create a draft Biodiversity Action Plan for South Ribble, this is included in Appendix B.
19. Prior to developing the draft Biodiversity Action Plan a full consultation exercise has been undertaken, including interactive workshops with internal staff and volunteers and externally with relevant national and local wildlife organisations and groups. There has also been an online public consultation. The results of these are in Appendix C.
20. It is envisaged that the Action Plan will eventually form part of the Climate Emergency and Air Quality Action Plans bring all three overlapping plans into one document which can then be easily referenced, updated and reported upon.
21. In November 2023, it is expected that Biodiversity Net Gain will be adopted into Planning Law and all relevant developments will have to show a minimum of 10% biodiversity net gain. This net gain is firstly onsite, with offsite options and buying biodiversity credits as a last resort. The net gain will need to be financed by the developer and monitored and maintained for 30 years post development. The Local Planning Authority is expected to monitor and report on Net Gain in their area.
22. In order to assist with the requirement for off-site Biodiversity Net Gain through the planning process, another action to be taken forward will be the collection of baseline data to enable the Council to registry its land for BNG projects and therefore attract external funding through the planning process.
23. Work has started in Lancashire on the new Local Nature Recovery Strategy (LNRS). Lancashire County Council have been appointed as lead authority by Defra and are being supported through the process by Natural England. District Authorities will have a Supporting Authority role and will play a key part in the production of the LNRS, ensuring that it dovetails into the Local Plan and planning system.
24. All Authorities and partners are still waiting for final guidance from Government around content and timings of BNG and LNRS and as such, timescales and actions within the draft Biodiversity Action Plan regarding these are slightly unclear.
25. There is currently no budget allocated to implement this action plan. Requests for funding will need to be submitted for approval against the relevant actions.

### **Climate change and air quality**

26. This report impacts on the work being undertaken by the Council on the Climate Emergency Agenda, helping to strengthen and prioritise the actions being undertaken to improve the sustainability and biodiversity across the borough. While increasing engagement with the residents and businesses and help to achieve the overall aim of net carbon zero by 2030.
27. Specifically, the report addresses improvements to green areas and biodiversity across the borough.

### **Equality and diversity**

28. The biodiversity action plan has been developed following a full open consultation process and views received have been included.

## Risk

29. The changes to the Natural Environment and Rural Communities Act 2006 places a duty upon the Local Authority to produce an action plan and apply set conditions to planning permissions granted by the authority.
30. Failure to undertake these duties would result in the Council failing to meet its statutory functions, potential bad publicity, and failure of the Council to achieve its corporate vision and priorities.

## Comments of the Statutory Finance Officer

31. This report has no direct financial implications at this time. Any schemes or funding required as part of the action plan will be approved through appropriate channels when developed.

## Comments of the Monitoring Officer

33. The purpose of the report is to adopt a Biodiversity Action Plan. This is to accord with our statutory duties and seeks to achieve a positive impact on biodiversity in the borough. Clearly it is important that we continue to take these issues very seriously.

## Background documents

Cabinet Report Biodiversity Strategy and Environment Act 2021, 23<sup>rd</sup> March 2022  
Environment Act 2021 <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>

## Appendices

Update on the Interim Action Plan  
Draft Biodiversity Action Plan  
Responses from the consultation

| Report Author:                                       | Email:   | Telephone:      | Date:        |
|--|--|-----------------|--------------|
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