

Report on Biodiversity Duties

For some time now, as a result of the Natural Environment and Rural Communities Act 2006, all Public authorities have had a duty to *have regard* to conserving biodiversity as part of their policy and decision making.

Under that legislation Councils should be able to show compliance with this duty if they have identified ways to integrate biodiversity when they

- Develop policies and practices
- Develop infrastructure such as roads
- Make decisions on procurement
- Implement economic, environmental and social programmes
- Manage the planning system
- Manage their land and buildings, woodlands, nature reserves, gardens park and open spaces, amenities such as sports grounds and cemeteries, waste and pollution, energy and water and wood and plant produce.

Some additional legislation has now been brought into force which is as a result of the Environment Act 2021 which introduces a '*biodiversity duty*'. On 17th May 2023 the legislation became effective and says Councils should complete their first consideration of what action to take for biodiversity by 1st January 2024 and agree policies and objectives as soon as possible afterwards.

The Government has provided a guide which you can view at the link below and which I have summarised below

[Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complying-with-the-biodiversity-duty)

The following positive duties are placed on public authorities –

1. Consider what you can do to conserve and enhance biodiversity
2. Agree policies and specific objectives based on its consideration
3. Act to deliver the policies and achieve the objectives

A review of the policies and objectives must take place every 5 years

This is all tied into to the Government's aim to improve biodiversity generally and for this reason consideration must be given to how the policies feed into the following strategies which will be drawn up by local authorities on higher tiers–

- Local nature recovery strategies
- Species conservation strategies
- Protected site strategies

It is appreciated that as well as applying to large County and District authorities this duty will be applying to the smallest of Parish Councils so it is made clear that organisations will need to

- understand how/if they are relevant to your organisation
- be aware of how these strategies affect land that you own or manage, or actions you could take to conserve and enhance biodiversity

- consider how you could contribute to the strategy, where appropriate

For smaller Councils suggestions include looking at land that the Council may manage/own such as allotments, parks and gardens or what actions to take if a Council manages a building.

For Councils that don't own land a suggestion is that a Council could help the public understand biodiversity and why it's important to conserve and enhance it. This can encourage land managers, businesses and the general public to take action to benefit biodiversity too.

So far as this duty applies to this Council, there could be a couple of things that could be done –

1. promoting education to residents on these issues either combining it with community events or by using the Council's communication sources and social media – for example Essex County Council often send out information about composting which could easily be shared.
2. Considering a specific project that the Council could promote (see below)
3. Look at grant funding for any community groups that are promoting biodiversity such as Community Gardens/allotment groups
4. Consider liaison/education with the Community Centre on how that building could be more energy efficient.

Example of Community Project

I attended an SLCC event in June where we received a presentation from a Parish Councillor from Hazelmere in Buckinghamshire who is also a member of the Climate party and he made some suggestions on small scale projects that his Council had undertaken that can make a difference.

'Bee Squared' – He explained that in the UK 17 species of bees have become extinct in various areas of the country and that this is due to the fact that the bees find it hard to travel due to too much concrete and development in certain area.

The aim was to provide pollinator corridors by encouraging residents to use 1 meter squared of their front gardens for wild flowers

The Council delivered to each household an envelope containing wildflower seeds, instructions on how to plant them and a poster showing a happy bee that could be put up in the window to show that the household is taking part in the scheme.

The scheme has been running for 3 years and due to local sponsorship was at no cost to the Council for the first two years but in year three cost £300.

Tree protection – tree planting could take place on Council owned land but otherwise the Council had got involved in promoting Community Orchards.

Responses to planning – the Council took the view that in relation to new developments they wanted to see 25% tree canopy cover within 10 years of construction.

Events – the Council were involved in trying to arrange for a repair café to come to the Parish and to set up a ‘Thing Library’ where people can share one off items such as a long ladder that you may only want to use once a year.

Energy – working with Stakeholders to look at local Community energy schemes and building insulation schemes plus EV charging points and ‘car port solar’. It may be that the Council is not able to facilitate this but can work with others who can.

Education – The Council arranged talks for residents and arrange for people to come and speak about issues such as heat pumps, composting and reusable nappies.

Next steps

A general overview of the Councils aims should be committed to paper by 1st January 2024 and any specific policy documents and actions may follow afterwards. It would be useful therefore, if you could discuss this report at the October meeting and decide on a general view on aims so I can put it together for your approval with a view to progressing the issue further over the coming months.

Suzanne Walker

13th September 2023