

Biodiversity Report – First Consideration 2024 - 2026

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Author and Version information

Name Planning Policy Team

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1.0 Introduction

- 1.1 Since 1 January 2023, all public authorities have been under an enhanced statutory duty to conserve and enhance biodiversity. From 1 January 2024 public authorities are required to set out a plan confirming how they will comply with this duty, what actions it will be taking and how it will develop its objectives and policies to meet the biodiversity duty.
- 1.2 In terms of the legal context, the Environment Act 2021, subsequently amended Section 40 of the Natural England and Rural Communities (NERC) Act 2006, introduced a strengthened 'biodiversity duty' requiring all public authorities in England to consider what they can do to conserve and enhance biodiversity. Guidance on complying with the biodiversity duty was published by the Government in May 2023 which, in summary, confirmed that authorities must:
- a) Consider what they can do to conserve and enhance biodiversity by 1 January 2024. No formal reporting template has been provided for this; and
 - b) Agree policies and specific objectives based on their consideration as soon as possible after 1 January 2024; and
 - c) Act to deliver the policies and achieve these objectives and report on them.
- 1.3 In this context, to inform a baseline of its biodiversity duty, public authorities are required to publish a 'first consideration' report setting out what actions it will be taking and how it will develop its objectives and policies to meet the biodiversity duty. There is a requirement that a check should be made to consider how these actions/strategies will affect how the authority complies with the biodiversity duty in respect of:
- Local Nature Recovery Strategies;
 - Species Conservation Strategies; and
 - Protected Site Strategies.
- 1.4 Government guidance for complying with the biodiversity duty highlights key themes where local authorities can take actions to ensure compliance with the biodiversity duty:
- Council Strategies and Policies;

- Development plans and decisions;
 - Land and corporate estate management;
 - Education and raising awareness;
 - Review of internal policies and processes; and
 - Preparing for biodiversity net gain.
- 1.5 Meeting the biodiversity duty is a corporate responsibility that is relevant to all Council departments, actions and decision making.
- 1.6 Following completion of the 'first consideration' there is a legal requirement for local authorities to publish a biodiversity report for the first reporting period, and this should be no later than 01 January 2026. Thereafter, the end date of each subsequent reporting period must be within 5 years of the end date of the previous reporting period. Reports must be published within 12 weeks of the reporting period end date.

2.0 First Consideration

2.1 The following table details the Council’s existing and proposed actions taken to meet its biodiversity duty. As there is no set guidance as to what should be included within the ‘first consideration’ the process used has been broken into themes. A tabular format has been used for ease of reference and conciseness.

Theme	Item	Current state	Proposed future actions	Proposed monitoring
Council Strategies	Corporate Plan – Building a Better Borough – Delivery Plan (2023-2025).	Aim 1: Live, Priority 3: Sponsor a sustainable green approach. This priority outlines 8 actions that the Council is aiming to achieve in two stages ('by March 2024' and 'by March 2025').	To progress towards achieving the identified aims and priorities in the Corporate Plan. To review and update the Corporate Plan in 2025.	Measurable outputs have been identified in the report and quarterly assessments of progress against these action points will take place.
Planning Policy	Adopted Borough Plan (2011-2031).	The protection and enhancement of biodiversity within the Borough is a key consideration throughout the adopted Borough Plan (2011-2031) policies but with the focal point being Policy NE3 –	A Local Plan Review is being prepared which will supersede this version of the Local Plan. The Local Development Scheme (December 2023) outlines that the	Not applicable.

		<p>Biodiversity and geodiversity, which considers ecological networks; the fragmentation of habitats; biodiversity offsetting; geological diversity; ecological and geological assessment; and Special Areas of Conservation and Sites of Special Scientific Interest.</p>	<p>Borough Plan Review's submission to the Secretary of State is scheduled for January 2024. It is hoped that the Plan will be found sound by the Planning Inspectorate, when it is examined, and will be adopted (predicted for December 2024).</p>	
	<p>Borough Plan Review (2021-2039).</p>	<p>The Borough Plan Review was adopted 10 December 2025.</p> <p>The protection and enhancement of biodiversity within the Borough is a key consideration throughout the Borough Plan Review policies but with the focal point being Policy NE3 – Biodiversity and geodiversity, which considers ecological networks; the</p>	<p>The Local Development Scheme (December 2025) outlines that the timetable to progress the new Local Plan.</p>	<p>Monitor the effectiveness of policies within the Borough Plan Review, which will be reported in the Authority Monitoring Report (AMR). The AMR will be published on an annual basis.</p>

		<p>fragmentation of habitats; biodiversity offsetting; geological diversity; ecological and geological assessment; and Special Areas of Conservation and Sites of Special Scientific Interest.</p>		
	<p>Supporting studies.</p>	<p>Other strategies undertaken as part of the Local Development Framework which have consideration of biodiversity matters, or which provide important evidence bases for future decision-making regarding biodiversity matters, include:</p> <ul style="list-style-type: none"> • Strategic Flood Risk Assessments • Water Cycle Study 	<p>To review and update where appropriate as part of the next round of plan-making.</p>	<p>To align with the agreed timescales for the next round of plan-making.</p>

		<ul style="list-style-type: none"> Habitat Regulations Assessment 		
Development Control	Planning applications.	Development control deal with many different types of development proposals. Implementation of policies contained within the adopted Borough Plan Review (2021-2039) ensure due consideration is given to protected sites, protected species, and priority habitats and species, in the planning process.	Continue to consider effects on biodiversity in relation to adopted planning policies during the determination process.	Existing line-management system.
	Biodiversity Net Gain (BNG).	The introduction of mandatory 10% BNG on all relevant planning applications.	Aim to secure a minimum of 10% biodiversity net gain (BNG) on all relevant applications	Existing line-management system.
Parks and Green Spaces	Green Infrastructure	There is an identified need to deliver green	Deliver green infrastructure improvements as part	Ongoing.

		<p>infrastructure improvements.</p>	<p>of regeneration projects such as Transforming Nuneaton to enhance urban diversity.</p> <p>Implement habitat enhancement and connectivity projects, plan for native tree and hedgerow planting and manage existing wildlife habitat areas.</p> <p>Prepare a Parks and Green Space Strategy.</p>	<p>Habitat enhancement and connectivity projects are ongoing I with planned delivery for 2-3 S106 funded habitat offsets as habitat creation works annually.</p> <p>Parks and Green Space Strategy was adopted 2025.</p>
Climate Change and Sustainability	Declaration of a climate emergency.	NBBC has pledged to be carbon neutral by 2030.	A draft Climate Change and Sustainability Action Plan has been consulted on. It is anticipated further work will be undertaken following consultation prior to the report being presented to Cabinet.	Monitoring/timescales to be determined.
Transport	Sustainable Travel	There is an identified need to enhance	Support sustainable travel to reduce	Ongoing – working with Warwickshire

		sustainable travel to reduce carbon emissions and improve air quality.	carbon emissions and improve air quality by the promotion of a cycle to work scheme and flexible working (work from home and office).	County Council's Active Travel Team.
Waste	Recycling	There is an identified need to enhance recycling throughout the Council's offices.	Separate paper recycling bins should be located throughout the Council's offices.	On site monitoring.
Collective	Raising awareness	<p>There are sections of the Council's website that raise awareness to biodiversity matters. However, there is scope to refresh and develop further the theme of biodiversity.</p> <p>Our individual actions, as NBBC employees, have the potential to impact biodiversity in both positive and negative ways, both in and outside the working environment.</p>	<p>To create additional biodiversity content for the Council's website and regularly refresh content.</p> <p>To investigate ways of raising general awareness of biodiversity issues amongst NBBC employees.</p>	Ongoing.

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