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| REPORT TO: | ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE | AGENDA ITEM: 15 |
| DATE OF MEETING: | 15th AUGUST 2019 | CATEGORY: RECOMMENDED |
| REPORT FROM: | STRATEGIC DIRECTOR (SERVICE DELIVERY) | OPEN |
| MEMBERS' CONTACT POINT: | ALLISON THOMAS, allison.thomas@south- derbys.gov.uk, 01283 595775 | DOC: |
| SUBJECT: | PROPOSED STRATEGIC PLAN FOR NATURE | |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: EDS01 |

1. Recommendations

That the Committee:

- 1.1 Notes the Draft Terms of Reference of the Biodiversity Working Group set up under the umbrella of the Corporate Environmental Sustainability Group.
- 1.2 Approves the preparation of a Strategic Action Plan for Nature and that the final version of the Plan be reported to this Committee at a later date.
- 1.3 Notes the content of the appended Nature Site List and agrees to its use as the basis for future actions on priority sites, ahead of the adoption of a more comprehensive and integrated Strategic Action Plan for Nature, to deliver quick wins where appropriate.

2. Purpose of the Report

- 2.1. To update the Committee on proposals to bring forward a Strategic Action Plan for Nature and make the Committee aware of other actions being taken to protect and improve biodiversity within the District.

3. Detail

- 3.1. At a meeting of this Committee on 16 August 2018, approval was given to the establishment of a Corporate Environmental Sustainability Group (CESG). The purpose of the Group is to develop and implement measures that demonstrably improve the Council's environmental performance.
- 3.2. The Committee approved the terms of reference of the Group and agreed to receive further reports on the Group's work programme. The Group first met in November 2018 and identified six areas which would be the focus for improving environmental sustainability.
- 3.3. Two further work streams have also been brought to the Group over the spring and summer period – one of which arose as a result of a request from Members to

explore opportunities to enhance biodiversity across the District. This report will focus on this area of work.

3.4. To date Draft Terms of Reference have been prepared to inform the work of the Biodiversity Working Group which had its first meeting in June 2019. A copy of the Draft Terms of Reference is set out in Appendix 1 and members are asked to note the Draft Terms of Reference for the Group.

3.5. The purpose of setting up a working group is to:

- understand current biodiversity issues and challenges in South Derbyshire;
- identify opportunities for enhancement of biodiversity on Council-owned land
- support the enhancement of biodiversity on land the Council manages for others
- ensure compliance to legal requirements to conserve and enhance biodiversity including those within Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 which places a duty to conserve biodiversity on public authorities in exercising its functions in England.
- prepare the Council for its role in ensuring developers meet forthcoming legislation to improve biodiversity by 10 per cent as part of its new mandatory net gain requirements under the Environment Bill 2019
- prepare the Council for its new role in producing new spatial "nature recovery strategies" to support existing plan-making duties.

3.6. It is proposed that the working group will:

- identify and review existing policies, strategies, plans and practices, identify gaps and issues and identify remedial actions
- benchmark these against good practice elsewhere
- collate existing data and evidence on habitats and species and identify key issues
- audit and analyse the range and roles of interested stakeholders and communities of interest, geography and/ or practice
- prepare a Strategic Action Plan for Nature which will set out a range Council priorities and actions to conserve and enhance biodiversity through a coordinated, Council-wide approach to the creation and/or management of new and existing sites.

3.7 However, significant opportunities have already been identified for improving biodiversity and work in some areas is already ongoing or capable of delivery well ahead of the preparation of a Plan. In such instances it is not proposed to delay such work pending the preparation of the Plan, but rather continue to progress works to ensure the early delivery of biodiversity improvements. A draft list of nature sites and intended short, medium and longer-term actions already identified by officers is included at Appendix 2.

3.8 In summary, however, there could be opportunity to deliver Biodiversity enhancements at number of locations including:

- Swadlincote Woodlands (including Salts Meadow)
- Sandholes Midway
- Midway Fishponds
- Appletree Meadow, Old Station Close, Etwall
- Hilton Memorial Meadow
- Manor School View and Croft Orchard, Daisy Lane, Overseal
- Coton Local Nature Reserve (Badger's Hollow)
- Rosliston Forestry Centre

- Pilot verge wildflower plantings in Hilton, Repton, Ticknall and Swadlincote.

3.9 It is proposed that the Draft Strategic Action Plan for Nature and the recommendations it includes be bought back before the Committee at a future date for consideration and adoption. Once adopted it is proposed that the Plan will:

- identify appropriate changes to the management of land owned or managed by the Council which reflect local circumstances and are in the interests of biodiversity
- identify gaps in existing biodiversity provision or access to biodiversity and potential projects to improve connectivity and access
- identify opportunities for biodiversity gain including through the delivery of net biodiversity gain in new development and the use of Section 106 monies for supporting biodiversity enhancements and management
- consider the potential for the commercialisation of environmental enhancements and conservation including through sponsorship and ongoing site management and maintenance for developers or third parties of on-site open space including landscaping and sustainable drainage.
- deliver any biodiversity requirements prescribed by the Environment Bill 2019

3.10 It is anticipated that the Council would commission specialist consultants to develop the Plan in collaboration with relevant Teams across the Council and with the aim a draft being completed by Spring 2020.

4. Financial Implications

- 4.1 It is expected that funding for some improvements will be met from S106 capital and maintenance sums together with external funding. More significant changes to the site management will require future business cases to be developed.
- 4.2 It is likely that the work of the group, future plan making and management, including the commissioning of consultants can be delivered within the cost of existing budgets with any specific upfront costs associated with plan preparation being funded out of existing departmental spending. For example, the Strategic Action Plan for Nature will form part of the evidence base for any future Local Plan and will negate the need for a Local Plan focussed biodiversity study and strategy.

5. Corporate Implications

Employment Implications

- 5.1 Beneficial. Environmental conservation and enhancement will improve the attractiveness of the District as a place to work and live.

Legal Implications

- 5.2 Beneficial. This work will allow an updated audit of Council functions against the requirements of the NERC Act (a previous NERC Audit of Council functions was undertaken in 2009).

Corporate Plan Implications

- 5.3 The proposals align with the 'Outcomes' Corporate Plan theme and in particular Action O3 "Enhance environmental standards"; and the 'Place' theme and in particular Action PL6 "Deliver services that keep the district clean and healthy".

Risk Impact

- 5.4 The proposals will have a beneficial mitigating action against the corporate risk of failing to meet increasing community aspirations for environmental stewardship.

6. Community Impact

Consultation

6.1 None.

Equality and Diversity Impact

6.2 None.

Social Value Impact

6.3 Beneficial. The preparation of an Action Plan for Nature could support improved access and awareness of biodiversity in the District.

Environmental Sustainability

6.4 Beneficial. The preparation of an Action Plan for Nature will allow the Authority to better coordinate management and delivery of biodiversity resource in the District.

7. Conclusions

7.1 Significant environmental improvements have been delivered in South Derbyshire in recent years particularly within the National Forest and Trent Valley. However high levels of development in the District could, if inappropriately managed, lead to losses in biodiversity. Proposals to review the existing state of the natural environment and identify actions to conserve and enhance biodiversity within an Action Plan for Nature will allow the Authority to meet its statutory obligations under section 40 of the NERC Act 2006, any new obligations under the Environment Bill 2019 and provide opportunity to optimise the management of sites, engagement of the community and the delivery of new green infrastructure to improve connectivity between and access to biodiversity.

8. Background Papers

8.1 Appendix 1 Draft Terms of Reference for the Biodiversity Working Group

8.2 Appendix 2 Draft Nature Site List