

BIODIVERSITY ISSUES AND THE DEVELOPMENT OF A STRATEGY FOR THE CONSERVATION OF BIODIVERSITY

Report By: Director of Environment

Wards Affected

County-wide

Purpose

1. To consider the Council's role in relation to biodiversity conservation and develop a Strategy for this to cover the period 2007 - 2010.

Financial Implications

2. The funding of consultation arrangements for this matter will be met from the existing conservation section budget.

Background

3. Scrutiny Committee 6th June 2005 received a report on a Biodiversity Conservation Strategy for Council. A subsequent meeting on 24th October 2005 confirmed support for 8 strategic objectives in relation to the Council's work for biodiversity conservation. These were:
 - To ensure that biodiversity conservation is integrated into the Community Strategy;
 - To promote co-ordinated action to benefit nature conservation by taking a lead role in developing, maintaining and implementing a Local Biodiversity action Plan for Herefordshire;
 - To work in partnership with other organisations to add value to all our biodiversity conservation activities;
 - To set an example to others through managing as much of our land as possible for the benefit of biodiversity;
 - To provide a high quality advisory service enabling planning and other regulatory systems to be operated responsibly and effectively;
 - To maintain effective recording, monitoring and reporting mechanisms, including contributing to regional commentaries;
 - To provide access to information about priority biodiversity habitats and species occurring within the County;
 - To promote the benefit of biodiversity conservation and associated actions to local communities throughout the County.

4. Over the past 18 months a significant number of changes have taken place that should be taken into account in developing any Biodiversity Conservation Strategy. The most notable include:
 - The introduction of the new planning framework: introducing spatial planning, providing for statutory plans at the regional level, a greater emphasis on having a sound evidence base for all policies and proposals in the Local Development Framework, and the emphasis given to monitoring the effectiveness of planning policies and proposals.
 - The review of Herefordshire Community Strategy and the links this should have with the Local area Agreement, together with the need to integrate all strategies within this framework.
 - Increasing recognition of the impact of climate change.
 - The reorganisation of the Rural Development Service, English Nature and the Countryside Agency with the creation of Natural England as a body concentrating on implementing rather than developing biodiversity policies.
 - The placing of a new duty upon public bodies and organisations, including local authorities, in relation to biodiversity under Section 40 of the Natural Environment and Rural Communities Act 2006.

5. Section 40 of the Natural Environment and Rural Communities Act 2006 states:

“Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

6. DEFRA and partners are currently preparing guidance for public bodies on implementing this new biodiversity duty. Local authorities have a key role to play through the delivery of services and functions such as land management, economic development and planning. Many bodies will be looking to local authorities to implement this duty and as a consequence, in addition to generic guidance for all public bodies, DEFRA intends to issue Local Authority-specific guidance. This is intended to provide a structured approach encompassing all relevant legislation, the range of services and functions that the biodiversity duty may be relevant to, and signposting to existing guidance upon how biodiversity conservation and enhancement can be achieved. It was intended that the guidance would be published in February 2007, although at the time of drafting this report it was not available.

7. The original intention when proposing a Strategic Framework for Biodiversity Conservation was that this would develop the objectives further (a reduced number is now proposed) and form the basis for developing a programme of actions for the ecology services provided by the Council. A draft strategy, copies of which have been issued as a separate document to this agenda, that should form the basis for discussion with members, relevant internal Divisions and then wider consultation. The DEFRA guidance for local authorities will require this to be reviewed, in particular to ensure the new duty is achieved through the Council's services. However, it is suggested that a programme of discussions and consultation be carried out using the present draft document addressing further issues that may be raised within DEFRA guidance when received.

RECOMMENDATION

THAT

- a) **Cabinet Member for the Environment is recommended to develop a Biodiversity Strategy for the Council in discussion with members (including the Environment Scrutiny Committee) and other Directorates, Services and teams prior to a wider stakeholder and public consultation and in the light of guidance to be published by DEFRA.**
- b) **A further report on the progress of the Biodiversity Strategy be included in the Committee Work Programme for the September 2007 meeting.**

BACKGROUND PAPERS

- Environment Scrutiny Committee reports of 6th June and 24th October 2007
- Natural Environment and Rural Communities Act 2006