

<b>Classification:</b> Open	<b>Decision Type:</b> Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 25 September 2024
<b>Subject:</b>	Bury Biodiversity Strategy	
<b>Report of</b>	Cabinet Member for Environment, Climate Change and Operations	

### Summary

1. At its meeting on 13 December 2023, Cabinet agreed to consult the public on a draft Biodiversity Strategy for the Borough. This report summarises the results of the consultation and proposes the adoption of a revised Strategy.

### Recommendation(s)

2. That Members:
  - i. Note the responses to the public consultation and the proposed post-consultation revisions as set out in Appendix B.
  - ii. Adopt the revised Bury Biodiversity Strategy (Appendix A), noting that it will be reviewed within the next five years.
  - iii. Delegate authority to the Executive Director (Place), to make any minor non-material editorial amendments to the Biodiversity Strategy ahead of its final publication.

### Reasons for recommendation(s)

3. To ensure that the Council has an up-to-date strategy in place for the conservation and enhancement of Bury's biodiversity assets.

### Alternative options considered and rejected

4. Not to adopt Bury Biodiversity Strategy. This option has been considered and rejected as the Council would not then have an up-to-date strategy and objectives for biodiversity.
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## **Background**

5. The Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021, gives public bodies the duty to conserve and enhance biodiversity. This means that, as a public authority, Bury Council must:
  - Consider what we can do to conserve and enhance biodiversity;
  - Agree objectives and policies based on consideration of the duty; and
  - Act to deliver our policies and achieve our objectives.
6. In doing so, we must consider how other strategies, such as the Greater Manchester Local Nature Recovery Strategy (LNRS) which is currently being prepared, will affect how the authority complies with the biodiversity duty.
7. The action we take for biodiversity will contribute to the achievement of national goals and targets on biodiversity that are set out in the government's Environmental Improvement Plan (January 2023) which include:
  - By 2024, increase species abundance by at least 10% from 2030, surpassing 2022 levels;
  - Restore or create at least 500,000 hectares of a range of wildlife rich habitats by 2042, with 140,000 hectares of this being restored or created by 2028 alongside the commitment to protect 30% of land and ocean by 2030;
  - Reduce the risk of species extinction by 2042;
  - New interim targets for all sites of special scientific interest (SSSIs) to have an up-to date condition assessment; and for 50% of SSSIs to be on track to achieve favourable condition by 2028.

- Increase tree canopy and woodland cover from 14.5% to 16.5% of total land area in England by 2050, with a new interim target to increase this by 0.26% (equivalent to 34,000 hectares) by 31 January 2028.

## **The legal requirements**

8. The legal requirements are set out in the Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021.
9. These require a public authority which has any functions exercisable in relation to England to consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.
10. After that consideration the authority must (unless it concludes there is no new action it can properly take):
  - determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective; and
  - take such action as it considers appropriate, in the light of those policies and objectives, to further that objective.
11. In complying with the duty, authorities must have regard to:
  - any relevant Local Nature Recovery Strategy; and
  - any relevant species conservation strategies or protected sites strategies prepared by Natural England.

## **A Biodiversity Strategy for Bury**

12. The Biodiversity Strategy (see Appendix A) embraces the first consideration of what the Council can do to meet its biodiversity duty. It outlines the current state of biodiversity in the Borough and the actions that we can take including:
  - Managing land to improve biodiversity including enhancing protected sites, making spaces for wildlife and improving how we manage buildings;
  - Educating, advising and raising awareness;
  - Reviewing internal policies and procedures;
  - Preparing for biodiversity net gain; and
  - Reporting on biodiversity policies and actions.

13. The Biodiversity Strategy proposes 3 objectives:
  - to improve our understanding and awareness of biodiversity in Bury;
  - to consider biodiversity in all Council decision making; and
  - to bring about the recovery of nature in the Borough in line with national and city-region objectives and targets.

## **Consultation on the draft Biodiversity Strategy**

14. The first draft of the Strategy was approved for consultation by Cabinet in December 2023 and consultation subsequently took place between 9 January and 20 February 2024.
15. The draft Biodiversity Strategy was made available for inspection on the Council's website and the consultation was promoted via various social media channels. Feedback was encouraged via an online questionnaire.
16. The questionnaire followed the following structure:
  - Respondents' connection to the Borough.
  - Chapter 2: The current state of Biodiversity in Bury.
  - Chapter 3: What can we do to conserve and enhance Biodiversity in Bury?
  - Chapter 4: Objectives, Policies and Actions.
  - Other comments
17. The questionnaire allowed respondents to state to what level they agreed or disagreed with the information provided in the Strategy, and provided space for any additional comments and reasons for their answers that the Council should consider when finalising the Strategy. A consultation summary report has been prepared (see Appendix B) which considers each of the comments made in turn and notes where any changes to the strategy have been made.

## **Summary of the consultation responses**

- 52.4% of respondents agree or strongly agree that the strategy reflects the current state of biodiversity in the Borough.
- 52.4% of respondents agree or strongly agree with the proposals for land management in Bury.

- 66.6% agreed or strongly agree with the proposals for providing advice and increasing awareness.
  - More than 76% of respondents agree or strongly agree with the Biodiversity Strategy's objectives.
18. Several - comments were made in relation to amending the text to refer to the role that buildings can play as habitats for some species, potential specific measures that could be implemented in order to deliver the strategy and engage with the public. As a result, the schedule of changes in Appendix B includes (but is not limited to) amendments such as:
- Chapter 2 amended to incorporate the role that buildings play in the borough for nesting.
  - Chapter 2 amended to add reference to wetlands in the borough and update the Landscape Character Types.
  - Chapter 2 amended to make reference to priority habitats and other mapping by Natural England.
  - Chapter 3 amended to communicate the Councils recent resolution to require best practice standards for inclusion of swift boxes in the updated Bury Local Plan and ensure that any plans to re-roof the Councils housing stock is seen as an opportunity to install swift bricks.
  - Chapter 3 amended to incorporate reference to creation of hedgehog highways as an action that the general public could take.
  - The end of the document has been amended to add links to helpful information and environmental mapping so that the public can explore how they could help.
19. A number of responses asked for specific measures such as creating hedgehog highways, encouraging the community to have pride in their towns by planting plants which attract pollinators, actively promote real lawns, tax/ban artificial lawns, adopt a list of local priority species, offer free nest boxes to the public, and tackling littering. It is intended for specific measures like these to be developed through the implementation of the strategy, which will require a dedicated resource to track and manage the projects and actions.
20. Overall, respondents said they were glad to see the Council taking action and recognising the need for a Strategy as a step forward however, that the commitment to delivering the strategy will be the key to real change.

## **The revised Biodiversity Strategy**

21. In response to the consultation comments, the Biodiversity Strategy has been updated (see Appendix A). A consultation summary report (Appendix B) has been prepared which summarises the responses received and highlights where changes have been made to the Strategy in response.

## **Next steps**

22. The Council will use the Biodiversity Strategy to inform future decision making and practices.
23. The Council is required to publish its first Biodiversity Monitoring Report by 1 January 2026 to evidence how we are conserving and enhance biodiversity in the Borough.

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## **Links with the Corporate Priorities:**

24. As part of 'Section 4 – Vision for the Borough in 2030' of the Let's Do It Strategy there is a commitment to Carbon Neutrality by 2038 and the support of green and blue infrastructure as part of Local Neighbourhoods, which is closely related to conserving and enhancing biodiversity.

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## **Equality Impact and Considerations:**

25. An Equality Impact Assessment has been carried out and it has been concluded that there will be a neutral effect on all groups of people with protected equality characteristics.

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## **Environmental Impact and Considerations:**

26. The items outlined in this report demonstrate how the Council is going to meet its biodiversity duty, looking at what the Borough can do to conserve and enhance biodiversity. Given the role of vegetation in 'locking in' carbon, it is envisaged that the Strategy will have a significantly positive impact on carbon emissions and biodiversity.
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## Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
That Bury would not have up-to-date objectives, policies and proposals for biodiversity.	By adopting a Bury Biodiversity Strategy we can demonstrate how we are meeting our biodiversity duty.
That the actions set out in the Strategy are not delivered.	The Strategy and its success will be monitored and reviewed if necessary.

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## Legal Implications:

27. The proposed strategy will ensure the Council complies with the duty set out in Section 102 of the Environment Act 2021. The legal implications are set out within the body of this report at paragraphs 8 - 11

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## Financial Implications:

28. The cost of the Biodiversity Strategy and consultation was met through the DEFRA Biodiversity Net Gain new burdens grant for 2023-24.
29. The final Strategy brings together relevant actions from existing programmes. Any new actions requiring additional resources will be the subject of future reports and decisions.

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## Appendices:

Appendix A - Draft Biodiversity Strategy

Appendix B – Consultation Summary Report including Schedule of Changes

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## Background papers:

*Please list any background documents to this report and include a hyperlink where possible.*

The DEFRA requirement for 'first considerations' in implementing the biodiversity duty:

- [Complying with the biodiversity duty](#)
- [Reporting your biodiversity duty actions](#)

DEFRA Guidance on Biodiversity Net Gain:

- [Understanding Biodiversity Net Gain](#)
- [Biodiversity net gain guidance – what you need to know - Land use: policies and framework \(blog.gov.uk\)](#)

GMCA Guidance on Biodiversity Net Gain:

- [The GMCA webpages on Biodiversity Net Gain](#)
- [Guidance for Greater Manchester](#)

Cabinet Report:

- [Previous Cabinet report on draft Biodiversity Strategy \(13 December 2023\)](#)

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
Biodiversity	The variety of plant and animal life in the world or in a particular habitat.
Biodiversity Duty	The general duty to conserve and enhance biodiversity that a public authority has and must consider when exercising its functions
Biodiversity Net Gain	Biodiversity net gain (BNG) is an approach to development and/or land management that aims to leave the natural environment in a measurably better state than it was beforehand.
LNRS	Local Nature Recovery Strategy