

LGIU Local Government Information Unit

Independent Intelligent Information

Biodiversity Duty - guidance for local authorities (LGIU)

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This covers: England and Wales

Overview

The Natural Environment and Rural Communities Act introduced a duty for all public authorities to have regard to the conservation of biodiversity from October 2006.

Local authorities have a key role to play in conserving biodiversity, through their role in:

- developing and influencing local policies and strategies
- planning and development control
- owning and managing their estates
- procurement
- education, awareness raising and advisory functions.

Conservation of biodiversity has wider impacts on creating sustainable communities.

Briefing in full

Background

Biodiversity includes all species of plants and animals and their complex ecosystems. The biodiversity in a local area can impact on quality of life, local distinctiveness and economic prosperity. It also has a role to play in a response to climate change, through flood management and provision of clean air and water.

The UK Biodiversity strategy is based on the need to prioritise important species and habitats at national and local levels with Biodiversity Action Plans (BAPs). BAPs provide guidance on action needed to support priority habitats and species, recognising that conserving biodiversity requires action to restore and enhance species populations and habitats, as well as to protect them.

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New duty for local authorities

The Duty affects all public authorities and aims to raise the profile and visibility of biodiversity. Conservation of biodiversity requires a holistic approach, integrating it into a wide variety of activities. Local authorities will be expected to clarify existing biodiversity commitments and ensure biodiversity is recognised as a natural and integral part of policy and decision making.

The Guidance provides a diagram demonstrating the linkages between biodiversity conservation and local authority functions provided (in Appendix 5 - see links).

Local policies and strategies and biodiversity

Local authorities should recognise biodiversity as a strategic, cross-cutting theme. They should:

- Integrate biodiversity within corporate priorities and internal policy, through a Corporate Environmental or Sustainable Development Strategy - or consider developing an Environmental Management System.
- Make biodiversity a local priority through Local Strategic Partnerships, with objectives in Sustainable Community Strategies and targeted action in Local Area Agreements and Neighbourhood Renewal
- Make best use of the Local Biodiversity Action Planning (BAP) process, with selection, protection and management of local sites for nature conservation.

Management of local authority controlled buildings and land

Local authorities manage thousands of hectares of land from coastline and nature reserves to road verges and cemeteries – all supporting biodiversity. Management of these sites and buildings affects biodiversity as it provides important habitats. These sites and buildings can affect biodiversity indirectly by impacting on the environment through, for example, use of water, or production of air, noise and light pollution. The guidance suggests:

- First assess the current biodiversity resource with a site survey and audit, linked with the work of the local BAP.
- Consider how planning and maintenance of land and buildings can add to biodiversity, e.g. building design could provide roosting sites.
- Maintenance of local authority land needs to support biodiversity, for instance by timing removal of vegetation to avoid harming any breeding season and by planting local and native species
- Use sites as recreational and educational resource by the public, helping to raise public awareness of biodiversity issues.

The guidance addresses specific types of sites that may be owned by local authorities such as protected sites, school grounds, coastal sites and road verges.

Planning infrastructure and development

There are a number of positive and negative effects that plans for infrastructure and development can have on biodiversity. However, if biodiversity is recognised at key points within the planning process then the overall impact should be beneficial.

The principles for considering biodiversity are set out in national planning policy. In England refer to Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation, and in Wales it is within Planning Policy Wales, which sets all the land use planning policies. There are also requirements for some plans and proposals to have an environmental or sustainability appraisal.

Forward planning is emphasised to make sure all opportunities are maximised:

- Develop good baseline evidence of current biodiversity.
- Seek biodiversity enhancement in regional and local development plans.

- Identify sites that are locally important.
- Include biodiversity targets in monitoring reports for local development plans.

Biodiversity conservation should be given full and proper weight in planning decisions and development control. Planning conditions and obligations are useful tools for protecting and enhancing biodiversity.

Education advice and awareness

Education at school and in the community should include biodiversity where possible. Also, school grounds should be enhanced for biodiversity. This can be brought together with other environmental issues by adopting the Eco-schools programme.

Local authorities provide a range of advice to business, land owners and managers, developers and the public local authorities. In many cases this advice could include biodiversity, such as in the delivery of pest control services or when advising business on sustainable development.

Community engagement provides an opportunity to both deliver biodiversity projects and activities alongside community regeneration or neighbourhood empowerment initiatives. Blyth Valley Borough Council, for example, runs a project for people trying to overcome drug or alcohol addiction in which they take up volunteer work on biodiversity projects as part of their rehabilitation.

Raising community awareness of local biodiversity can help support specific initiatives and foster attitudes. This could be achieved by providing places where people can learn informally about biodiversity and communicating information through campaigns or education programmes.

Implementing the duty

Integrating biodiversity into existing services should mean that any additional costs are relatively minimal. The guidance does suggest ways of minimising any necessary costs, for example, identifying external funding or linking biodiversity to existing agendas.

All local authority staff and elected members are expected to be aware of this Duty and the role of biodiversity in their work. Raising the general awareness of biodiversity issues will be needed for everyone, as well as specific skills and training for certain services.

There is no obligation to measure progress as part of the Duty. Although, monitoring is encouraged as there are plans to review the impact of the Duty in 2009. It would also help local authorities to prioritise their actions. The guidance proposes a number of appropriate tools.

Comment

Biodiversity is often taken for granted, particularly small habitats in our local areas. Yet, whether it is a protected area or a road verge, they all have their role to play. Unfortunately, in the UK alone 100 species have been lost in the last century and many more are threatened at the local level. The Duty reinforces work that is already in place through Biodiversity Action Plans, but also emphasises that more needs to be done.

This Duty should not make biodiversity a burden. Instead it should be seen as an

opportunity to integrate biodiversity into the way local authorities work. It is important to remember that action to improve biodiversity can reinforce other council objectives such as reducing health inequalities, economic development and regeneration.

Additional Information

Covers

- Wales
- Planning, Transport, Environmental sustainability
- Community planning and well-being
- Community involvement, Partnerships and LSPs, Voluntary sector

Question

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Related links

- [Guidance for local authorities on implementing the Biodiversity Duty](#)

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