



Appendix

Biodiversity Duty Plan

*How
Leicestershire
County Council
will meet the
strengthened
Biodiversity Duty*

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EXECUTIVE SUMMARY

The Biodiversity Duty Plan has been produced in partial fulfilment of the Council's statutory duty as a public body under Section 40¹ of the Natural Environment and Rural Communities Act 2006 (NERC Act) as amended by section 102 (1c)² of the Environment Act 2021 (Environment Act).

The purpose of the Plan is to consider how the Council is currently meeting or not meeting the strengthened biodiversity to conserve and enhance biodiversity. Where it is not meeting the duty, the Plan identifies the actions that should be taken to meet the duty.

To do this a review was carried out of the most relevant council policies and strategies (see Section 3). This identified that most of these policies and strategies were contributing to enabling the Council to meet the duty, though most will need to reference the duty and other relevant changes from the Environment Act 2021 when they are next updated.

The review identified that the Council's Environment Strategy 2018-2030 and its supporting Action for Nature document provided a solid foundation on which the Council could demonstrate how it was meeting the duty.

As the Species Conservation Strategies and Protected Site Strategies have yet to be released by the government and the Local Nature Recovery Strategy will not be published until after July 2025, these will be considered in future iterations of the Biodiversity Duty Plan.

The review also assessed what the Council was currently doing to raise awareness and educate the community on biodiversity conservation and enhancement. This showed that the Council did this across a number of functions including Country Parks, Environment and Communities. Further opportunities to educate and raise awareness of biodiversity should be identified where possible.

One of the main areas where the Council has an opportunity to conserve and enhance biodiversity and demonstrate that it is meeting the duty is in relation to the land that it owns and manages. Many of the sites have existing management plans or processes in place that detail how the land is managed in order to comply with laws in relation to biodiversity. Steps should be taken to ensure that the proper control measures are in place and recorded in the Council's Environmental Legislation Register.

¹[https://www.legislation.gov.uk/ukpga/2006/16/section/40#:~:text=40Duty%20to%20conserve%20%5BF1and%20enhance%5D%20biodiversity&text=%5BF2\(A1\)For%20the,functions%20in%20relation%20to%20England](https://www.legislation.gov.uk/ukpga/2006/16/section/40#:~:text=40Duty%20to%20conserve%20%5BF1and%20enhance%5D%20biodiversity&text=%5BF2(A1)For%20the,functions%20in%20relation%20to%20England).

² <https://www.legislation.gov.uk/ukpga/2021/30/section/102/enacted>

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The Council will need to report on what has taken place within the county in relation to Biodiversity Net Gain. However, the Government have yet to provide secondary guidance or regulation that stipulates exactly what information should be captured and reported. Once this is known it will be included in a future iteration of this Plan.

A full list of the actions identified by the review exercise can be found in Appendix 1. These actions will be integrated into the existing Action for Nature Delivery Plan.

The monitoring and reporting for the Plan will be integrated into the existing Environmental Performance Monitoring and Reporting systems and processes.

A separate Biodiversity Report will be developed every 5 years, as required to meet the biodiversity duty reporting requirements.

1. INTRODUCTION

The Biodiversity Duty Plan has been produced in partial fulfilment of the Council's statutory duty as a public body under Section 40³ of the Natural Environment and Rural Communities Act 2006 (NERC Act) as amended by section 102 (1c)⁴ of the Environment Act 2021 (Environment Act).

The NERC Act as amended confers an enhanced biodiversity duty upon public authorities which includes a requirement to consider what action can properly be taken to further the conservation and enhancement of biodiversity. The duty includes a requirement to periodically report on actions taken in fulfilment of the duty commencing with a "First Consideration Report" of the duty due to be completed by January 1, 2024.

Prior to the Environment Act 2021 coming into force, the Council had already completed a review of the Council's policies and strategies in relation to biodiversity and nature in producing 'Action for Nature: A strategic approach to Biodiversity, Habitat and the Local Environment'. This review largely met the need to undertake a first consideration of what actions the Council could take for biodiversity.

A further policy and strategy review (consideration) was carried out as part of producing this Biodiversity Duty Plan.

As per the guidance the strengthened biodiversity duty has been integrated into existing policies, processes, and procedures. To this end the Biodiversity Duty Plan will be a sub section of Action for Nature, with the identified biodiversity duty actions being integrated into the Action for Nature Delivery Plan. Also, the Biodiversity Report will be integrated into the existing Annual Environmental Performance & Progress Update reporting, with the required Biodiversity Report being produced every five years for government.

This Plan includes a summary and highlights of the Council's ongoing actions to conserve and enhance biodiversity as well as a consideration of how the strengthened duty can be implemented in future.

³[https://www.legislation.gov.uk/ukpga/2006/16/section/40#:~:text=40Duty%20to%20conserve%20%5BF1and%20enhance%5D%20biodiversity&text=%5BF2\(A1\)For%20the,functions%20in%20relation%20to%20England](https://www.legislation.gov.uk/ukpga/2006/16/section/40#:~:text=40Duty%20to%20conserve%20%5BF1and%20enhance%5D%20biodiversity&text=%5BF2(A1)For%20the,functions%20in%20relation%20to%20England).

⁴ <https://www.legislation.gov.uk/ukpga/2021/30/section/102/enacted>

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The Plan sets out the current and future actions that the Council is and will need to undertake to meet the strengthened biodiversity duty. How we have met the biodiversity duty will first be reported on in the Biodiversity Report, which should have a reporting period no later than 1 January 2026, as stipulated by government.

2. GOVERNMENT GUIDANCE & INFORMATION ABOUT THE AUTHORITY

Government Guidance

Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'biodiversity duty' that the Environment Act 2021 introduced.

This means that the Council must:

1. Consider what it can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on that consideration.
3. Act to deliver those policies and achieve the objectives.

The Council must check how it complies with the biodiversity duty with regards to the following strategies:

- [local nature recovery strategies](#)
- [species conservation strategies](#)
- [protected site strategies](#)

The Council must:

- understand how or if they are relevant to the organisation.
- be aware of how these strategies affect land that it owns or manages or any actions the Council could take to conserve and enhance biodiversity.
- consider how the Council could contribute to the strategy, where appropriate

Information about the Authority

The Council is an upper tier local government organisation consisting of the following departments:

- Adults and Communities
- Chief Executives
- Children and Family Services
- Corporate Resources
- Environment & Transport
- Public Health

The Biodiversity Duty Plan has considered the relevant policies and strategies of these departments. This consideration assessed whether and how they were supporting the Council to meet the strengthened biodiversity duty.

3. REVIEW OF POLICIES & OBJECTIVES

This section sets out how the existing relevant policies and strategies of the Council are supporting the Council to meet the strengthened biodiversity duty, and where appropriate where action is needed to update the policy or strategy when it is next reviewed. The review considered the following policies and strategies.

Environment Strategy 2018-2030

The Environment Strategy 2018-2030 underpins the Council's overall commitment to the environment by setting out the Council's policy and vision on the environment, as well as its aims and objectives across six thematic areas, including biodiversity, habitats and the local environment.

The scope of the strategy includes meeting the legal and statutory duties that the Council must fulfil regarding the environment and the national response to climate change and doing what the Council needs to do to embed environmental sustainability into the effective and efficient running of council services.

The strategy refers to the Wildlife and Countryside Act 1981, the Countryside & Rights of Way Act 2000, and the Natural Environment & Rural Communities Act 2006, as pieces of legislation that place duties on local authorities regarding conservation, management and access to the natural environment.

The strategy also sets out the high level aims in relation to biodiversity, habitats and the local environment and the supporting internal and external objectives.

The strategy also identifies the legal responsibilities and statutory duties which the Council is responsible for in relation to the environment, some of which will support the meeting of the biodiversity duty. Examples of these include meeting its legal responsibility for pollution control on its estate, complying with the Town and Country Planning Act and related secondary legislation regarding any planning applications that the Council submits, and legal responsibilities in relation to the protection of designated species, habitats, and sites.

The Council works with ecological assurance experts to exercise judgement on how it meets legal responsibilities. The Council has an internal Environmental Management System that puts in place controls and compliance measures with regular audits being undertaken.

Action

As part of the next review of the Environment Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

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Action for Nature - June 2021

The Action for Nature document provides more detail on how the Council will meet the aims and internal objectives in relation to biodiversity, habitats, and the local environment.

'Action for Nature' is contextual document that builds on and supports these aims and objectives and seeks to compile into a single document:

- an understanding of the policy and legislative context within which achievement of these aims and objectives is set.
- an understanding of the current state of nature in Leicestershire.
- the guiding principles and rationale of our approach to acting for nature.
- identification of the key opportunities for action.
- a supporting Delivery Plan that provides more detail of the actions to be taken.
- a foundation on which further action for nature can be taken as greater understanding of future legislative and other changes arise, such as the Environment Bill.

This document brings together the headlines from the various internal and external strategies and plans that touch on supporting and improving nature in Leicestershire as well providing clarity on the Council's interactions with nature.

This document was written before the Environment Act 2021 and therefore does not take account of the impact of the Act.

Action

As part of the next review of Action for Nature it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Emerging Local Nature Recovery Strategy for Leicestershire, Leicester and Rutland

The Local Nature Recovery Strategy (LNRS) is currently being developed and will cover Leicestershire, Leicester, and Rutland. The final strategy is expected to be completed in July 2025.

LNRS's are a new mandatory system of spatial strategies covering all of England introduced as part of the Environment Act 2021. They are designed to drive nature's recovery and wider environmental benefits and act as a delivery mechanism for the national Environmental Improvement Plan and the achievement of the national environmental targets.

The LNRS will identify the existing important areas for biodiversity as well as the areas of potential importance for biodiversity. It will also set out the biodiversity priorities for the area and the measures that should be undertaken both within these priority areas and the whole area to support the creation and improvement of habitats for nature and the achievement of wider environmental goals.

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Once in place the LNRS will provide information that will enable the Council to better understand how and where it can take action to conserve and enhance biodiversity.

Action

After the LNRS has been published assess it to understand how it can be utilised to support the Council in meeting its biodiversity duty and update the Biodiversity Duty Plan as needed.

Leicestershire County Council Strategic Plan 2022-2026

The Strategic Plan sets out the Council's long-term vision and priorities. The vision is based on five strategic outcomes that outline the end results the Council want to see for Leicestershire. Each outcome has specific aims with corresponding actions which set the areas of focus over the period of the strategy.

The outcome most relevant to the biodiversity duty is the clean and green outcome which highlights the need to protect and enhance the environment and tackle climate change. The outcome includes an aim that nature and the local environment are valued, protected, and enhanced. Some of the other outcomes will also indirectly support biodiversity in particular those in relation to great communities, a strong economy and keeping people safe and well. Delivery of the strategy is supported by other strategies of the Council, such as the Environment Strategy, Communities Strategy and Public Health Strategy.

Action

As part of the next review of Strategic Plan it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Country Parks Strategy 2019-2029

In managing the Council's country parks, the Council must comply with laws, such as the Wildlife & Countryside Act 1981 and the Conservation of Habitats and Species Regulation 2017. Specifically, Beacon Hill Country Park, Jubilee Wood and Sheet Hedges Wood all include Sites of Special Scientific Interest, which are covered by the latter.

Through the provision of the country parks the Council creates trails which provide access to residents. This also relieves pressure on habitats and species. The Council also works in partnership with others to manage the sites for nature and works to increase biodiversity by undertaking good land management at key sites such as Broombriggs Farm, Windmill Hill and Watermead Country Park. The Council also works to conserve and improve wildlife corridors, achieve pollinator and species rich habitats, raise awareness of the impact of the work to protect and enhance biodiversity by providing interpretation and offering educational opportunities to schools.

The strategy sets out how the Council will ensure that biodiversity is increased on all its sites through good land management. The Council also seeks to keep in balance the desire for residents and visitors to access the country parks and open spaces, alongside conserving often fragile habitats for nature. The Council's rangers raise public awareness of

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the importance of biodiversity through engagement with the public, holding activities and events. Much of the Council's work is carried out in partnership with others, including with the charity and voluntary sector, as well as being supported by a large cohort of volunteers.

Action

As part of the next review of the Country Parks Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Tree Management Strategy 2020-2025

The Tree Management Strategy sets out how the Council will manage the trees it has responsibility for. In particular, the Strategy says that in managing the Council's tree assets, the Council will adhere to legislation governing works to trees that are designated with Tree Preservation Orders, located within Ancient Woodlands or are Local Wildlife Sites. The Council will also ensure that the work it does to manage safety, under legislation such as the Highway Act 1980, is done in compliance with the laws governing wildlife, species, and habitats.

The Council is committed to replacing trees in the rural and urban landscapes and to collect and maintain data on the Council's tree planting and ownership of trees.

Action

As part of the next review of Tree Management Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Community Strategy 2022-2026

The Strategy works on the principles of prevention, participation, and catalysts to support those that provide services and empower collaboration. With the desired outcomes that people participate in service design and delivery, People support each other through volunteering.

The Council offers support to Parish Councils concerning action for nature in areas like guidance on Biodiversity information for Parish Councils and advice on what to include in terms of conserving and enhancement biodiversity in Neighbourhood plans.

Action

As part of the next review of Community Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Public Health Strategy 2022-2027

The Public Health Strategy sets out priorities to protect and improve the health and quality of life of everyone in Leicestershire. There are actions within the strategy around

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sustainable food consumption which in turn has an impact on land management throughout the county, not just on land owned and managed by the Council.

The strategy promotes several initiatives that will influence biodiversity and nature including considering health in planning decisions, promoting open spaces, active travel, and collaborative approaches to improve air quality, Good Food Leicestershire and ensuring health is considered in how growth and development is delivered.

Action

As part of the next review of Public Health Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Investing in Leicestershire Programme, Portfolio Management Strategy 2023-2027

The Council owns and manages property and other investments, some of which are generating income to support front line services whilst contributing to the wider strategic objectives of the Council and the economic wellbeing of the area.

The Portfolio Management Strategy for 2023 to 2027 is aimed at supporting the development of the portfolio to further enhance its contribution to the delivery of the strategic goals whilst continuing to improve the Council's financial resilience, and demand on services as operating costs continue to rise. It outlines how the Council will look to direct investments during this period, developing the portfolio to address areas of specific economic or social market failure, and how it will manage these to help achieve the strategic priorities of the Council.

Through the development of council owned land, the Council have an obligation in planning law to provide a net gain in biodiversity, this can be delivered through good design in developments and or through contributions of funding to other locations within the county as stipulated in the relevant Local Plans and the future Local Nature Recovery Strategy. Any land developed outside of the planning process would also be subject to compliance with existing laws.

Action

As part of the next review of the Portfolio Management Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Highways Asset Management Policy

The Highway Asset Management Policy is committed to the ambition to achieve carbon reduction through better design and management of the Council's highway assets. In doing this the Council is reducing the pressures on the natural world. In terms of adapting to climate change the Council can and are committed to nature through nature-based solutions that primarily address flooding, pollution, the consequences of extreme weather such as high winds, urban heating, and drought. This policy articulates the priorities for

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managing highway assets. The supporting principles include a reference to taking account of environmental impact.

Action

Ensure Highways take account of the biodiversity duty when assessing the environmental impact of their maintenance interventions and treatment choices.

Highways Asset Management Strategy

The strategy outlines the way the Council will deliver the priorities identified in the Highways Asset Management Policy for the council's management of Highways. This document is the overarching policy that guides the Highway Infrastructure Asset Management Plan and Highways Network Management Plan.

The Strategy does commit to meeting legal requirements effecting biodiversity, and it does this through the sub policy and plans.

Highway Infrastructure Asset Management Plan

This is the detailed plan that directs the work involving the management & maintenance of the highway assets, for example structures, drainage, roads, footways etc. The Highway Infrastructure Asset Management Plan is currently under review and will be updated to reflect the Council's commitment to meeting the biodiversity duty.

Action

As part of the current review of the Highways Infrastructure Asset Management Plan it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Highways Network Management Plan

The Highway Network Management Plan coordinates operation of the network of assets. The Plan does not mention the Local Nature Recovery Strategy or Species Conservation and Protected Sites strategies. This is due to the fact it was produced before the Environment Act 2021.

Action

As part of the next review of the Highways Network Management Plan it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Cycling and Walking Strategy

The Cycling and Walking Strategy sets out the commitment of the Council to increasing walking and cycling in Leicestershire, which is currently below the national average for these activities. To support this the three core objectives are:

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- To enhance the infrastructure that supports cycling and walking in Leicestershire; By upgrading existing and providing high quality new segregated infrastructure, cycle parking, pedestrian crossings, and traffic reduction measures to create healthy streets and spaces.
- To enable people to cycle and walk in Leicestershire; By providing cycle training, working with schools and workplaces to provide people with the required skills and information.
- To inspire a step change in cycling and walking in Leicestershire. Leicestershire County Council is committed to increase levels of active travel in the county and is setting ambitious targets to meet the challenges of improving public health, air quality and congestion.

The objective of enhancing infrastructure provides an opportunity to act in the interest of conserving and enhancing biodiversity. The strategy does not mention the legislation impacting biodiversity in design, but it does commit to reducing traffic, pollution, and putting green infrastructure in place such as planting along routes. The Local Cycling & Walking Infrastructure Plans commit to biodiversity by encouraging pocket parks and rainwater gardens in design.

Action

As part of the next review of the Cycling and Walking Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

Local Flood Risk Management Strategy

The Council is the Lead Local Flood Authority (LLFA) in the county with responsibility for developing, maintaining, and monitoring the Local Flood Risk Management Strategy (LFRMS) for Leicestershire.

In developing the strategy, the Council must ensure that the strategy undertakes a Habitat Regulations Assessment and meets the requirements of the 'Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019 ('the Habitat Regulations Assessment Regulations'). It considers the impacts of the strategy upon European designated sites, such as the Mease Special Area of Conservation.

The strategy must also have undertaken a Strategic Environmental Assessment that meets the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'Strategic Environmental Assessment Regulations'). It provides an assessment of the strategy objectives and measures against assessment objectives with economic, environmental, and social scope, whilst Appendix B provides the policy context for the strategy, including related plans and legislation.

The Local Flood Risk Management Strategy has:

- Five principles and one is 'delivering multiple benefits,' for which environmental benefits, including biodiversity conservation and enhancement is included.

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- The LFRMS details how each of the five objectives deliver multiple benefits, which often includes environmental benefits.
- The [Strategic Environmental Assessment](#) found all measures would either have neutral or positive environmental effects.

Specific LLFA measures with potentially significant environmental benefits ([see action plan](#))

- The LLFA will signpost and make available guidance for riparian landowners, and proactively disseminate this in locations of identified priority.
- The LLFA will regulate ordinary watercourses in accordance with the Leicestershire Ordinary Watercourse Regulation and Culvert Policy and supporting guidance.
- The LLFA with support from catchment partnerships, will seek to maximise opportunities for natural flood management (NFM) across Leicestershire
- The LLFA will work with catchment partnerships and landowners to integrate environmental and flood risk management workstreams.
- The LLFA will manage the delivery of the Breedon-on-the Hill flood alleviation scheme, and this includes NFM.
- The LLFA will manage the delivery of the Diseworth flood alleviation scheme, and this includes NFM.

The LLFA has some responsibility for ordinary watercourse regulation (consenting, enforcement) and environmental impacts⁵ is one of five regulation criteria set out in the [Ordinary Watercourse Regulation and Culvert Policy](#): within the LFRMS.

The LLFA engagement with communities can and does educate, bring forth actions to support physical conservation and enhancement of biodiversity.

Minerals & Waste Plan

The Minerals and Waste Local Plan includes a spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future mining and working of minerals and the form of waste management development in Leicestershire over the period to the end of 2031. The Development Management Policies set out the criteria against which planning applications for minerals and waste development will be considered.

⁵ *Environmental impacts: the impacts upon water quality and biodiversity (direct and indirect) are considered. Watercourse management should be consistent with environmental legislation and targets such as the Water Framework Directive and Local Nature Recovery Strategy. The whole life carbon footprint, and any potential impacts upon other benefits, such as the historical and cultural environment, will also be considered.*

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The plan commits to support development that protects biodiversity commensurate with designations such as the Mease Special Area of Conservation. This is delivered through the Mease Special Area of Conservation contribution scheme and Biodiversity Net Gain. The evidence base for the current adopted plan includes consideration for the Leicestershire & Rutland Biodiversity Action Plan and Green & Blue Infrastructure strategies owned by the Local Plans at District and Borough level.

Resources and Waste Strategy 2022-2050

The Resources and Waste Strategy is produced by the Leicestershire Waste Partnership (LWP). The partnership comprises of Leicestershire County Council (the Waste Disposal Authority) and the seven Leicestershire Waste Collection Authorities (the district and borough councils).

This strategy is an update of the Leicestershire Municipal Waste Management Strategy which had been in place since 2002 and subsequently reviewed and updated in 2006 and 2011. The strategy describes the recycling and waste management services which will be delivered by the LWP up to 2050. The strategy sets out:

- The policy framework - the current and future context for resources and waste management, considering local issues e.g., air quality, and global issues including greenhouse gas reduction and climate change.
- The vision, aims, and objectives - what the LWP wants to achieve in terms of resources and waste management.
- Strategy delivery - how resources and waste will be managed to achieve the aims and objectives, through the services provided by the LWP to its residents and communities.

The strategy intends to encourage people to take individual responsibility for consumption that generates waste and results in waste disposal, by educating people about initiatives such as home composting, using less, reuse and recycling.

Working with the Leicestershire Waste Partnership work is being done to try and prevent fly-tipping which has a detrimental impact on biodiversity.

In terms of managing Recycling Household Waste Sites (RHWS) there is an objective to protect and increase biodiversity through good practice.

Action

As part of the next review of the Resources and Waste Strategy it needs to include reference to the strengthened biodiversity duty, the Biodiversity Report, the Local Nature Recovery Strategy, and other relevant changes from the Environment Act 2021.

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External policies that influence the work of the Council.

All the district and borough Local Plans have policies that have statements that could contribute to conserving and enhancing biodiversity. These policies will interface with the ability of the Council to deliver conservation and enhancement of biodiversity.

The Council interfaces with other external plans that are wider than district and borough plans. For instance, the Leicestershire Local Flood Risk Management Strategy considers the Environment Agency River Basin Management Plan.

The interfaces between the Council's policies, strategies and plans and those of external bodies are likely to shape the way in which the Council may seek to meet the biodiversity duty.

4. SUMMARY OF CURRENT ACTIONS

The Environment Strategy 2018-2030 provides the Council's overarching policy on the environment. It sets out the council's vision, aims, objectives and targets which will drive improved environmental performance, and is supported by an Action Plan. The strategy also informs the Council's overall approach to environmental management, while recognising that there are several other internal strategies and plans that deliver aspects of the Council's environmental duties, responsibilities, and commitments.

The scope of the strategy covers both the Council's own operations and where it has control and influence within the county of Leicestershire.

In 2021 the Council produced a more detailed narrative and action plan setting out how the Council would deliver a strategic approach to biodiversity, habitat, and the local environment called Action for Nature. In reviewing the government guidance on producing a Biodiversity Duty Plan, the Council believed that it had through Action for Nature already largely considered what it could do to conserve and enhance biodiversity.

However, in producing the Biodiversity Duty Plan the actions identified will be carried forward into any future iterations of Action for Nature with consideration of any additional requirements impacting the work of the Council as documented in the Local Nature Recovery Strategy, Species Conservation Strategies and Protected Species Strategies.

The government guidance allows for the Biodiversity Duty Plan to be included within existing strategies or plans where appropriate. Therefore, the Biodiversity Duty Plan will be included as a separate section within the existing Action for Nature document. The actions identified within the Biodiversity Duty Plan will be integrated into the Action for Nature Delivery Plan and highlighted as being actions to support the Council in meeting its biodiversity duty.

Some of areas of action have been highlighted in sections 5-8 of this plan as specific actions to take forward.

5. CONSIDERATION OF OTHER STRATEGIES

This document was adopted by Cabinet in December 2024. At the time of writing we are unable to consider Species Conservation Strategies and Protected Site Strategies that were established under the Environment Act 2021, as these have not been released by government. In addition, the Local Nature Recovery Strategy (LNRS) is an emerging strategy with the final LNRS not due to be published until after July 2025.

Action

These strategies will be considered in future iterations of the Biodiversity Duty Plan.

6. CURRENT ACTION: RAISE AWARENESS & EDUCATING THE COMMUNITY

The work the Council does to raise awareness and educate the community about biodiversity conservation and enhancement occurs across several functions across the Council, such as Country Parks, Environment, Transport, Communities and Public Health.

Raising Awareness

The Council have several channels for raising awareness on how to conserve and enhance biodiversity, they include the Council website, volunteering initiatives such as the Environment Action Volunteers and the County Tree Warden Network, press and social media, on-site interpretation in places like Country Parks, museums and libraries, and online publications and initiatives such as Greener Together and Environment Matters. The Council also run community networking events for people to share knowledge on conservation in the county.

In addition, there are ongoing projects such as the Invasive Non-Native Species Local Action Group and the Swift Partnership which offer materials and advice on how to support biodiversity.

Education

The Council works with partners such as Food for Life, to promote biodiversity in schools through growing and selection of food.

The Environment team are also an accredited centre for offering entry level AQA courses, such as course on the importance of grasslands and grassland management.

The Council works in partnership with further education colleges and universities to offer and promote courses that deal with conservation and enhancement of the natural world alongside land use management. For example, the Council have supported access to Funding Skills Boot camps at Melton Brooksby College.

Action

Review further opportunities to educate and raise awareness of biodiversity conservation and enhancement considering the strengthened biodiversity duty.

7. CURRENT ACTION: MANAGING LAND

The Council own and manage a variety of land that provides an opportunity to conserve and enhance biodiversity, including Country Parks, highway verges, schools, public rights of way, disused canals, county farms, industrial estates, and buildings associated with the provision of services such as museums, libraries, community centres and children's homes.

Many of the council sites have management plans or processes and procedures in place that detail the way in which the land is managed to comply with laws that impact biodiversity and other non-legally binding activities that the Council may be doing to fulfil its duty.

When writing plans, processes, and procedures the Council considers ways to conserve and enhance biodiversity using expert advice and best practice, such as agreed standards. Control measures are required to ensure that services are compliant with regulations around biodiversity. Any such control measures should be recorded in the Environmental Legislation Register, which is part of the Council's Environmental Management System.

Actions

- That the Council includes compliance with the biodiversity duty within the Environmental Legislation Register and the internal audit process, undertaken as part of the Environmental Management System and when ensuring relevant functions are meeting the requirements of ISO14001.
- Ensure that in producing the Highway Maintenance Operational Plan (HMOP) to accompany the Highway Infrastructure Asset Management Plan (HIAMP), that it will provide further clarification on how the Council will meet the biodiversity duty in operating the highway network.
- Continue to work in partnership with others to deliver beyond the minimum legal compliance in relation to biodiversity, where possible.
- Signpost departments to best practice and advice as part of the Environmental Management System.

8. CURRENT ACTION: BIODIVERSITY NET GAIN-LCC AS A PLANNING AUTHORITY

Local planning authorities will need to report what is done for Biodiversity Net Gain (BNG) where it takes place on developments both on and off site. Government has not yet provided secondary guidance or regulation that stipulates exactly what information should be captured in relation to Biodiversity Net Gain. The information that may be asked for could include size and type of habitat that has been gained. The reporting will only be done for any project where it is required to provide planning permission and where a project is not exempt under the updates of the Town and Country Planning Act 1990.

Local planning authorities should consider areas that are appropriate for biodiversity net gain. Consider how existing planning advice and strategies can protect and enhance biodiversity.

In the case of the Council the reporting will only apply to those areas of planning that the Council is responsible for such as Mineral and Waste Planning. Therefore, the only data included in this report with regards to capturing BNG data will relate to those areas.

However, the Council's Ecology and Biodiversity (Planning) team will be providing a service to other councils within Leicestershire and Rutland to support them in delivering Biodiversity Net Gain. This will include the collection of BNG data for each of these council areas. This data will not be captured in the Leicestershire County Council's Biodiversity Report.

9. MONITORING & REPORTING

The Council will monitor and report on its actions to meet the biodiversity duty by collecting data on specific performance indicators and including a specific section within the Council's Annual Environment Performance & Progress Update Report. A range of indicators will be developed to monitor the Council's action on biodiversity. These indicators are likely to include indicators such as:

- Number of trees planted.
- Area of woodland created.
- Area restored for natural flood management.
- Metres of hedges planted.
- Area of ponds created or restored.

The data collected for the report will be pertinent to the specific actions highlighted within this Plan along with other actions that may result as consequence of future reviews of the policies and strategies identified in section 3.

Monitoring will be undertaken as part of the Council's existing Environmental Performance Monitoring and Reporting System and the wider Environmental Management System, including the Environmental Legislation Register. The Environmental Legislation Register also references the controls and compliance actions undertaken by relevant functions.

The responsibility for reporting will be integrated within the existing reporting requirements undertaken by the Environment Policy and Strategy team as part of the Annual Environmental Performance & Progress Update Report.

A separate Biodiversity Report will be developed every 5 years, as required to meet the biodiversity duty reporting requirements.

Data relating to Biodiversity Net Gain and the Town and County Planning Act 1990 will be gathered using the Mastergov system and the main KPIs will be reported in the Biodiversity Report. The report will give information on the progress in delivering conservation and enhancement of nature as discussed in this Plan.

APPENDIX

Appendix 1: Summary List of Actions

Action	Owner	When required
Consider Species Conservation Strategies, Protected Site Strategies and Local Nature Recovery Strategy (LNRS) in future iterations of the Biodiversity Duty Plan.	Environment & Transport	As appropriate following release of the strategies by government and publishing of the LNRS.
Update the Biodiversity Plan to take account of the Local Nature Recovery Strategy, Species Conservations Strategies and Protected Site Strategies	Environment & Transport	Post announcement from government.
Update all relevant strategies in due course to ensure that they take account of the biodiversity duty to conserve and enhance biodiversity	All relevant departments of the Council	As strategies are updated.
Review further opportunities to educate and raise awareness of biodiversity conservation and enhancement considering the strengthened biodiversity duty.	Environment & Transport, Chief Executives, Corporate Resources	As strategies are updated.
Include compliance with the biodiversity duty within the Environmental Legislation Register and the internal audit process, undertaken as part of the Environmental Management System and when ensuring relevant functions are meeting the requirements of ISO14001.	Environment Team	Annually
Ensure that in producing the Highway Maintenance Operational Plan (HMOP) to accompany the Highway	Transport Team	By 2025

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<p>Infrastructure Asset Management Plan (HIAMP), that it will provide further clarification on how the Council will meet the biodiversity duty in operating the highway network.</p>		
<p>Continue to work in partnership with others to deliver beyond the minimum legal compliance in relation to biodiversity, where possible.</p>	<p>All relevant departments</p>	<p>Ongoing</p>
<p>Signpost departments to best practice and advice as part of the Environmental Management System.</p>	<p>Environment Team</p>	<p>Annually</p>

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Appendix 2: List of Council Policies Reviewed

Environment Strategy 2018-2030 & Action for Nature

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/13/Environment-Strategy-2018-2030-delivering-a-better-future.pdf>

Strategic Plan 2022-2026

<https://www.leicestershire.gov.uk/about-the-council/council-plans/the-strategic-plan>

Country Parks Strategy 2019-2029

<https://democracy.leics.gov.uk/documents/s150882/Country%20Parks%20Appendix%20B.pdf>

Tree Management Strategy 2020-2026

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/2/16/Tree-Management-Strategy-2020-2025.pdf>

Community Strategy 2022-2026

<https://www.leicestershirecommunities.org.uk/uploads/leicestershire-communities-approach-2022-2026.pdf?v=1663923463>

Public Health Strategy 2022-2027

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/7/28/public-health-strategy-2022-27.pdf>

Investing in Leicestershire Programme, Portfolio Management Strategy 2023-2027

<https://www.leicestershire.gov.uk/sites/default/files/2023-09/MTFS23-Appendix-H-IILP-Strategic-Report.pdf>

Corporate Asset Management Plan 2022-2026

<https://democracy.leics.gov.uk/documents/s170970/Appendix%20-%20CAMP%202022%20-%202026.pdf>

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Highway Asset Management Policy

[Highway Asset Management Policy](#)

Highways Asset Management Strategy

[Highways Asset Management Strategy](#)

Highway Infrastructure Asset Management Plan

[Highway Infrastructure Asset Management Plan](#)

Highway Asset Management Procedures and processes:

Highway Network Management Plan

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/12/21/Network-Management-Plan.pdf>

Natural Environment & Rural Communities Act

[2006https://www.legislation.gov.uk/ukpga/2006/16/section/40](https://www.legislation.gov.uk/ukpga/2006/16/section/40)

Cycling and Walking Strategy

<https://www.leicestershire.gov.uk/roads-and-travel/cycling-and-walking>

Loughborough Area LCWIP, South Leicester LCWIP

<https://www.leicestershire.gov.uk/roads-and-travel/cycling-and-walking/local-cycling-and-walking-infrastructure-plans-lcwips>

Local Flood Risk Management Strategy

<https://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage>

Minerals & Waste Plan

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/10/3/Leicestershire-Minerals-and-Waste-Local-Plan-Up-to-2031-Adopted-2019.pdf>

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Resources and Waste Strategy 2022-2050

https://www.nwleics.gov.uk/files/documents/leicestershire_resources_and_waste_strategy_2022_2050/Leicestershire%20Resources%20And%20Waste%20Strategy%202022%20-%202050.pdf

Environment Report: Resources and Waste Strategy 2022-2050

<https://www.lesswaste.org.uk/wp-content/uploads/2023/04/Leicestershire-Resources-and-Waste-Strategy-2022-2050-Environmental-Report.pdf>