



**ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND
SCRUTINY COMMITTEE: 9 MARCH 2026**

BIODIVERSITY REPORT

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of the Report

1. The purpose of this report is to seek the views of the Committee on the draft Biodiversity Report, appended to this report, prior to the report being published, as required by the strengthened biodiversity duty, introduced as part of the Environment Act 2021.

Policy Framework and Previous Decisions

2. The biodiversity duty was considered in the development of the Council's Environment Strategy 2018-2030 and in the development of the supporting Action for Nature document and Delivery Plan published in June 2021.
3. In compliance with the Environment Act 2021, which introduced a strengthened, mandatory biodiversity duty for all public authorities in England, effective from 1 January 2023, the Cabinet approved the Biodiversity Duty Plan on 17 December 2024.
4. In compliance with the Environment Act 2021, the Council approved the Local Nature Recovery Strategy (LNRS) for Leicestershire, Leicester and Rutland on 2 July 2025.
5. A refreshed Action for Nature document and supporting Action Plan were published in December 2025; this took into account the new strengthened biodiversity duty.
6. The Council will need to take account of the strengthened biodiversity duty when developing, reviewing or refreshing any relevant policies and strategies in the future, such as the Environment Strategy, Local Transport Plan 4, Resources and Waste Strategy and Procurement Policy.

Background

7. As part of the Environment Act 2021, the Government introduced the strengthened biodiversity duty that requires public authorities which operate in

England, including local government, police and hospitals, to consider what they can do to 'conserve and enhance' biodiversity in England.

8. Prior to the strengthened biodiversity duty being introduced by the Government on 1 January 2023, the pre-existing biodiversity duty required public authorities to conserve biodiversity, under the Natural Environment and Rural Communities Act 2006 (NERC Act). The change in 2021 took the form of an amendment to the original NERC Act section 40, which extended the biodiversity duty on public authorities to include the enhancement of biodiversity in addition to conservation, creating 'the general biodiversity objective'.
9. The amendment aims to encourage the enhancement and improvement of biodiversity in England, going beyond the maintenance of biodiversity in its current state, therefore, ensuring that public authorities can contribute to the national goals and targets on biodiversity.
10. As part of meeting the strengthened biodiversity duty (hereafter called the biodiversity duty), local authorities were required to produce a Biodiversity Duty Plan as soon as possible after 1 January 2024. They were also required to produce a Biodiversity Report, with the end of the first reporting period being no later than 1 January 2026 and publish it within 12 weeks of the end of that reporting period. The draft Biodiversity Report (Appendix A) fulfils this requirement.
11. The Environmental Improvement Plan 2025 (EIP25), published in December 2025, sets out the Government's plans for improving the natural environment, including setting out ten environmental goals:
 - **Goal 1:** Restored nature: We will create a network of bigger, better and more resilient habitats to help nature thrive.
 - **Goal 2:** Air: We will achieve clean air.
 - **Goal 3:** Water: We will ensure English waters are clean, resilient and plentiful.
 - **Goal 4:** Chemicals and pesticides: We will minimise environmental risks from chemicals and pesticides.
 - **Goal 5:** Waste: We will minimise waste by designing it out of the system, reusing and recycling materials wherever possible.
 - **Goal 6:** Resources: We will ensure that natural resources are produced, managed and consumed sustainably.
 - **Goal 7:** Climate Change: We will reduce greenhouse gas emissions to accelerate to net zero and work to prepare the natural environment for the effects of climate change.
 - **Goal 8:** Reducing environmental hazards: We will reduce the risk of harm to people, the environment and the economy from natural hazards.
 - **Goal 9:** Biosecurity: We will enhance biosecurity to protect our natural environment and boost the health and resilience of plants, animals, ecosystems and people.

- **Goal 10: Access to Nature:** We will ensure inclusive access to nature and protect nature's beauty and heritage.
12. The Government intends to include references to the Biodiversity Reports from local authorities in the five-yearly reviews of the national EIP.

What is Required to Meet the Biodiversity Duty

13. To meet the biodiversity duty, a public authority must:
- a) Consider what it can do to conserve and enhance biodiversity;
 - b) Agree policies and specific objectives based on the consideration;
 - c) Act to deliver the policies and achieve the objectives.
14. The Council's original Action for Nature document and Delivery Plan, published in June 2021, largely meet the requirements of considering what it can do to conserve and enhance biodiversity, as set out in point a) above.
15. Building on this, a review of the Council's policies and strategies was conducted during 2024, to assess where it was and was not meeting the biodiversity duty.
16. A review also took place of the Environmental Legislation Register, which is part of the Council's Environmental Management System. This review assessed whether the Council was meeting the relevant biodiversity legislation and regulations.
17. The results of these considerations and reviews were used to identify the actions that the Council needed to take to meet the biodiversity duty, and these are set out in the Biodiversity Duty Plan approved in December 2024.
18. The Council is required to reconsider the actions that it takes to meet the biodiversity duty at least within five years of completing the previous consideration. This means that the next Biodiversity Duty Plan is due by December 2029.
19. The Council is then required to produce a Biodiversity Report within five years of the end date of the previous reporting period, with the next report due by March 2031.

Key Points from the Biodiversity Report

20. By law, the Biodiversity Report must contain certain information with the option to include additional information. In writing the Biodiversity Report, it has been ensured that all the required information is included (some of the additional information was also included where appropriate).
21. The key contents from the Biodiversity Report are as follows:

- i. Setting out of the legal and strategic context within which the report is set. It identifies the key legislative drivers such as the amended Natural Environment and Rural Communities Act 2006, the requirements of the biodiversity duty and the other related requirements set out in the Environment Act 2021, such as the need to develop LNRSs.
- ii. Recognises that the Planning and Infrastructure Act 2025, which came into law in December 2025, may have implications on how the Council delivers biodiversity and nature recovery initiatives.
- iii. Provides an outline of the EIP25, which was also published in December 2025 and compares the commitments to those set out in 2023 EIP.
- iv. Provides an overview of the National Planning Policy Framework (NPPF), based on the February 2025 update, but acknowledges that a further revision of the NPPF was released in December 2025 for public consultation, which is likely to result in future changes.
- v. Picks out the envisaged interaction between LNRSs and Biodiversity Net Gain (BNG) in the planning function but acknowledges that this is a developing area of law.
- vi. Identifies several regional and local drivers such as the LNRS, the Leicester and Leicestershire Strategic Growth Plan 2018, district councils' Local Plans, the Minerals and Waste Plan and the River Soar Catchment Plan 2023-2028.
- vii. Sets out how the Council is currently and will in the future fulfil its duty to conserve and enhance biodiversity through the objectives stated across a range of strategies, such as the Environment Strategy 2018-2030, the Action for Nature document and Action Plan, the Biodiversity Duty Plan, the Strategic Plan 2022-2026 and the Tree Management Strategy 2019-2029.
- viii. Includes several case studies to provide practical demonstrations of how the biodiversity duty is being met.
- ix. Sets out how the Council is taking into account the LNRS since it was published in August 2025.
- x. This includes, the review and development of key performance indicators, the production of the annual environmental performance and progress report, compilation of data to meet BNG obligations, fulfilling responsible authority function for the LNRS, working with internal and external partners to develop and deliver good practice for the conservation and enhancement of biodiversity.
- xi. Sets out some of the challenges for meeting national nature and biodiversity targets, such as the focus on economic growth and house building, the reliance on the development of green finance markets, which are still in the early stages of development in the UK, how to integrate nature recovery and food production and difficulties with data availability, quality and accessibility.
- xii. Sets out the actions and key data on how the Council is and will meet its BNG obligations.

Resource Implications

22. The County Council will not receive any additional funding from the Government to support meeting the additional reporting and other requirements

of the strengthened biodiversity duty. Therefore, the additional costs will need to be absorbed into existing budgets and into available staff time.

23. It is difficult to quantify what the additional costs will be, but it is expected that there will be additional staff resource requirements needed to meet the biodiversity duty. This will need to be absorbed by relevant officers and could equate to up to £6,000 per year, including on-costs.
24. The Council's intention is to blend the additional data collection, monitoring and reporting requirements into the existing systems and processes where this is possible, to reduce the impact on staff time and costs.
25. There may be legal implications if the Council was found to not be meeting the biodiversity duty, but it is unclear at this time what the consequences of this would be.
26. The Director of Corporate Resources and the Assistant Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

27. This report will be circulated to all Members.

Equality Implications

28. There are no equality implications arising from the content of this report.
29. Equality Impact Assessments have and will be carried out on any relevant policies, strategies, and plans that are contributing to meeting the biodiversity duty.

Human Rights Implications

30. There are no human rights implications arising from the content of this report.

Environmental Implications

31. There are no environmental implications arising from the content of this report. Although delivery of the biodiversity duty is expected to have positive environmental implications, as meeting the biodiversity duty is intended to result in the conservation and enhancement of biodiversity.

Background Papers

Biodiversity Duty Plan December 2024:

<https://www.leicestershire.gov.uk/sites/default/files/2025-01/LCC-Biodiversity-Duty-Plan.pdf>

Local Nature Recovery Strategy July 2025:

<https://www.leicestershire.gov.uk/sites/default/files/2025-07/LLR-Local-Nature-Recovery-Strategy.pdf>

Leicestershire County Council Action for Nature: A Strategic Approach to Biodiversity, Habitat and the Local Environment for Leicestershire County Council, December 2025:

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/8/16/action-for-nature-strategic-approach-to-biodiversity.pdf>

Action for Nature Action Plan December 2025:

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/8/16/action-for-nature-delivery-plan.pdf>

Appendix

Leicestershire County Council's Biodiversity Report for January 2024 – December 2025

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