



# Biodiversity Duty Report

Winter 2025

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# 1. Introduction

- 1.1 This report relates to the Council's Corporate and Planning roles and responsibilities under the Environment Act 2021 for protecting and enhancing biodiversity across the Borough, and covers how the Council will: i. Respond to the new corporate Biodiversity Duty imposed on Local Planning Authorities under the Environment Act 2021 requiring Local Planning Authorities to propose and report on actions for biodiversity within a Biodiversity Report. ii. Deliver and monitor Biodiversity Net Gain (BNG) as a mandatory requirement of new development which comes into force January 2024 and which must form part of the Biodiversity Report.
- 1.2 The Government published the 25 Year Environment Plan (25YEP) in 2018 signalling that they would strengthen the Biodiversity Duty and introduce a mandatory system for development of Biodiversity Net Gain (i.e. making sure that the habitats for wildlife associated with a development, are on completion of that development, in a better state than before the development took place).
- 1.3 The Environmental Improvement Plan (EIP23), published in January 2023, builds upon the foundation of the 25YEP and sets out government plans for significantly improving the natural environment by working with landowners, communities and businesses towards the joined vision.
- 1.4 The Environment Act 2021 received Royal Assent on 9 November 2021 and amended section 40 of the Natural Environment and Rural Communities Act 2006 (duty to conserve biodiversity) so that there is now a general biodiversity objective which is the "conservation and enhancement of biodiversity". To comply with the duty Planning authorities must consider what action the authority can take "to further the general biodiversity objective".
- 1.5 The Planning authorities considerations, actions and reporting on those actions are required by the Environment Act to be set out in a Biodiversity Report and the legislation and accompanying guidance sets out the timescale and required content of the report.
- 1.6 This report is intended to set out what the Council currently does to deliver biodiversity and to set out how the Council will meet the new challenges posed by the Environment Act 2021 in respect of biodiversity building on its existing policies, partnerships and actions setting out a clear strategy for going forward that will maximise the benefits for biodiversity within the resources and influence available to the Council.
- 1.7 The Environment Act 2021 amends section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act). The original duty was "so far as is consistent with the proper exercise of [the public authority's] functions, to the purpose of conserving biodiversity" and this has been replaced by a more proactive duty (new section 40(1)) to "from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective".
- 1.8 Public authorities must also under section 40A of the NERC Act evidence the action it takes by the publication of a Biodiversity Report which must also report on the outcomes of mandatory Biodiversity Net Gain.

1.9 This is a corporate responsibility that goes across all Council departments, actions and decision making. The Government guidance specifically requires Local Authorities to publish biodiversity reports which contain:

- a summary of action which the authority has taken over the period of the report
- a summary of the authority's plans for the 5 years following the report
- quantitative data and any other information the authority considers is appropriate is included in the report.

1.10 The report has three compulsory sections which are described in the Government guidance as follows:

Section 1: Your policies, objectives and actions. You must include this information in your report and explain:

- the policies and objectives you have set to meet your biodiversity duty;
- the actions you've completed, either alone or in partnership with others, that benefit biodiversity.

Section 2: How you have considered other strategies. You must include this information in your report and explain how you've taken into account:

- local nature recovery strategies
- protected site strategies
- species conservation strategies

For example, include information about how:

- you've advised or worked in a Local Nature Recovery Strategy (LNRS) partnership in your area
- these strategies influenced your policies, objectives or actions.

Section 3: Your future actions. You must include this information in your report and explain how your organisation plans to fulfil your biodiversity duty over the 5 years following the end of this reporting period.

1.11 The authority has taken the decision to publish data on the biodiversity duty in two reports. This report (Part 1) will address the issues raised in paragraph 1.10 above and covers the December 2025-December 2030. Part 2 will provide data on biodiversity net gain within the authority by the required deadline of the end of March 2026.

## 2. Policies, Objectives and Actions

### Adopted Local Plan 2011-2031 (2019)

- Policy 8 – Green Infrastructure
- Policy 9 – Open Space
- Policy 37 – Biodiversity & Geodiversity
- Policy 42 – Green Wedges
- Policy 43 – Countryside
- Policy 44 – Landscape and character
- Policy 45 – Local Green Space

This suite of local plan policies are policies that seek to protect existing open spaces or encourage more open spaces, as well as linking open spaces, which will protect existing wildlife habitats and promote movement between them.

- Policy 2 – Spatial Strategy
- Policy 6 - High quality design
- Policy 15 – Urban Infill
- Policy 22 – Delivering Retail
- Policy 26 – Sustainable Transport
- Policy 34 – Car Parking
- Policy 35 – Taxis
- Policy 38 – Climate Change
- Policy 46 – Infrastructure and Developer Contributions

This suite of policies will help biodiversity by tackling climate change through promoting development in existing locations well served by public transport which should reduce vehicle emissions and / or promotion of energy efficiency to reduce building emissions.

Overall, the local plan policies are used to guide development proposals that are received by the authority on an ongoing basis.

### Review Local Plan (January 2025)

The authority is in the process of replacing its existing local plan with an updated local plan which from adoption (likely to be 2027) would cover the period up to 2042.

- Policy 22 – Open Space
- Policy 25 – Landscape and Character
- Policy 30 – Green and Blue Infrastructure
- Policy 31 – Protecting Biodiversity
- Policy 32 – Local Green Space
- Policy 33 – Green Wedges
- Policy 34 – Countryside
- Policy 35 – Trees and Woodlands
- Policy 36 – Soils and Agriculture

This suite of local plan policies are policies that seek to protect existing open spaces or encourage more open spaces, as well as linking open spaces, which will protect existing wildlife habitats and promote movement between them. Policy 31 seeks to implement mandatory Biodiversity Net Gain at 10% within the authority.

- Policy 2 – Spatial Strategy
- Policy 3 – Infrastructure and Developer Contributions
- Policy 4 – Sustainable Development
- Policy 5 – Climate Change
- Policy 8 – Renewable and Low Carbon Energy
- Policy 13 – Urban Infill
- Policy 15 – Retail
- Policy 17 – Sustainable Transport
- Policy 18 – Active Transport
- Policy 20 – Car Parking and Electric Vehicles
- Policy 24 – High Quality Design
- Policy 28 – Sustainable Design & Construction
- Policy 46 – Infrastructure and Developer Contributions

This suite of policies will help biodiversity by tackling climate change through promoting development in existing locations well served by public transport which should reduce vehicle emissions or promotion of energy efficiency to reduce building emissions.

Overall, the emerging local plan policies will be used to guide development proposals that will be received by the authority on an ongoing basis.

### **Climate Change Strategy (2024)**

The Strategy has a series of aims and objectives one of which is aimed at Biodiversity.

The Strategy aims to help protect and enhance natural landscape and wildlife to support biodiversity, carbon storage and climate resilience.

Tree cover and grassland has resulted in emission removals across the borough. Although the borough is net-gain in land use greenhouse gas emissions, this has decreased over time to 0.8 Kt CO<sub>2</sub>e in 2021 due to changes in settlement land use. Nature recovery is vital in our efforts to tackle climate change. The borough is a compact and a predominately urban area but there are opportunities to increase tree planting and improve biodiversity to increase carbon storage, create connected green spaces and support climate resilience

Increasing tree cover is supported by four objectives;

- NL1 Work with others to deliver nature recovery actions including increased tree planting and carbon storage.
- NL2 Support planning policy to protect and enhance the natural environment securing the best possible net gain outcomes.
- NL3 Promote the use of nature based solutions and connected green spaces to secure wider benefits including increased biodiversity and climate resilience.

- NL4 Support local groups to engage with and improve nature and biodiversity.

The strategy also has other aims that will aid biodiversity.

- to support energy efficiency, low carbon heat and renewable energy actions; and help create a climate resilient built environment.
- to encourage and support sustainable and resilient transport alternatives.
- to work with businesses and partners to collectively reduce our environmental impact.
- to support action to move towards a more circular economy by using our resources better and reducing waste.
- to facilitate residents and communities to take local action to tackle climate change.

Reducing all sources of emissions will help tackle climate change. Climate change is one of the biggest threats to biodiversity.

Overall, the strategy will be reviewed annually and amended accordingly.

### **Corporate Strategy (2024-2027)**

- To be a carbon conscious borough.
- To be seen to be green.

The Strategy has an explicit objective (SO4) 'To seek to improve biodiversity through the management of natural green spaces and implement biodiversity net gain.'

The Strategy will be reviewed to assess its effectiveness and amended accordingly.

### **Economic Regeneration Strategy (2023-2028)**

- Promotion/regeneration of established town centres.

Town centres are the authority's most sustainable locations. Reducing vehicle emissions will help tackle climate change. Climate change is one of the biggest threats to biodiversity.

The Strategy will be reviewed to assess its effectiveness and amended accordingly.

### **Green Spaces Strategy (2025-2035)**

Has a vision for green spaces that "They will be futureproofed to provide climate resilience and enhanced biodiversity while supporting the health and wellbeing of our communities."

To deliver this vision is a strategic priority to:

- Contribute to climate change and biodiversity targets and aims, through planting trees and managing sites for wildlife whilst improving flora and fauna.

This strategic priority is underpinned by a number of objectives.

- review maintenance regimes to ensure that our green spaces are maintained to a high standard, in an affordable and sustainable way, and make improvements to increase enhance biodiversity.
- plant more trees within our green spaces to help combat climate change (carbon storage) and increase canopy cover, providing future new habitats for wildlife and additional shade for our communities in periods of extreme heat.
- actively encourage community engagement and involvement in the protection, maintenance, development and positive environmental impacts of our green spaces.
- effectively manage internal budgets and attract external funding wherever possible towards the ongoing maintenance and the future development of our green spaces.

The Strategy will be reviewed to assess its effectiveness and amended accordingly.

#### **Litter Strategy (2022-2027)**

- Increased litter collections within town centres and quicker removal of fly -tipping.

Litter can poison / kill wildlife if not disposed of properly. Reducing litter will aid biodiversity.

The Strategy will be reviewed to assess its effectiveness and amended accordingly.

#### **Car Park Strategy (2021-2026)**

- Installation of electric vehicle charging points within Council car parks.
- Installation of additional bicycle racks within Council car parks.

Reducing vehicle emissions will help tackle climate change. Climate change is one of the biggest threats to biodiversity.

The Strategy will be reviewed to assess its effectiveness and amended accordingly.



### 3. Other Strategies

- 3.1 The Leicester and Leicestershire Local Nature Recovery Strategy (LNRS) was adopted in August 2025. The County Council are the responsible authority for the strategy and Oadby & Wigston Borough Council as one of the local authorities within Leicestershire contributed to the production of the strategy. As the responsible authority the LNRS will be reviewed and updated by the County Council or depending on Local Government Re-organisation the relevant successor authority.
- 3.2 Given how recently the strategy was adopted it is considered too soon to make any meaningful comment on the implementation of the strategy within the Borough area.
- 3.3 Protected Site Strategies – Protected Sites are representative examples of important places for nature. They are defined areas of land, freshwater, or sea protected by law for the nature they support including important wildlife, landforms or rock types. They serve as indicators of healthy, naturally functioning landscapes.
- 3.4 Provision 110 – Protected Site Strategies (PSS) in the Environment Act 2021 grant Natural England statutory powers to convene local partnerships focused on addressing environmental issues that affect the conservation and management of Protected Sites, so that they remain healthy and resilient for years to come. The PSS legislation is framed so any matter that can help in this regard is in scope for the collective strategy. As a result, PSS are ambitious and innovative in their approach, operating at a large scale across the landscapes where the identified Protected Sites are located.
- 3.5 Natural England may prepare and publish a strategy for:
- improving the conservation and management of a protected site, and
  - managing the impact of plans, projects or other activities (wherever undertaken) on the conservation & management of the protected site.
- A strategy is called a “protected site strategy.” A “protected site” means: a European site, a site of special scientific interest or a marine conservation zone within England.
- 3.6 Within the Borough area there is one Site of Special Scientific Interest, the Kilby-Foxton Canal. Currently it is the responsibility of Natural England to produce the protected site strategy for this site. The site receives an element of protection through the planning system via adopted Plan policy 37 (Biodiversity) and would continue to enjoy protection through the review Plan draft policy 31 (Biodiversity).
- 3.7 Species Conservation Strategies - The LNRS sets out those species of importance within Leicester and Leicestershire. Priority species refer to species that are identified as being of principal importance for biodiversity conservation. These species are typically selected based on their conservation status, ecological importance, and vulnerability to habitat loss, climate change, and other environmental pressures. The designation of priority species helps focus conservation efforts and resources on those species most in need of protection and recovery.

- 3.8 While many priority species are identified at the national level, the Local Nature Recovery Strategy enables these species to be contextualised for local landscapes, ensuring that actions are relevant to the specific ecological needs of Leicestershire, Leicester, Rutland, or any other area under the strategy. In total 113 species were identified against the criteria. These are species which require bespoke action to protect and enhance their populations. The list is made up of 1 amphibian (Palmate Newt), 1 reptile (Adder), 12 birds (including Turtle Dove), 1 crustacean (White-clawed Crayfish), 6 invertebrates (including Glow worm), 3 fish (Including Brown Trout), 6 mammals (including Hedgehog), 77 rare vascular plants (including Lily-of-the valley) and 6 lichen (including *Lasallia pustulata*).
- 3.9 In summary, priority species within a LNRS are those species most in need of focused conservation action due to their ecological importance, vulnerability, and the role they play in maintaining local biodiversity. As noted above in paragraph 3.2 the LNRS is a very recent document and it is too soon to make any meaningful comment on the progress with priority species.

## **4. Future Actions**

- 4.1 The authority has a number of strategies (as set out in Section 2) that have a series of ongoing commitments within them that will either directly or indirectly aid biodiversity.

The authority is one of many local authorities going through the process of Local Government Re-organisation. At the time of writing, the future spatial geography or the powers that those new authorities will have are unknown. Unless or until the authority is informed otherwise and revised Government guidance is issued on biodiversity duty reporting it will update this report in five years' time.