**RESPONSE TO THE BIODIVERSITY DUTY**

**30 October 2023**

 INTRODUCTION - STATUTORY DUTY

Under the 2021 Environment Act, public authorities (including town and parish councils) operating in England must consider what they can do to conserve and enhance biodiversity. Government guidance published on 17 May 2023 clarifies that public authorities councils must:

 • consider what they can do to conserve and enhance biodiversity.

• agree policies and specific objectives based on their consideration.

• act to deliver their policies and achieve their objectives.

Town and parish councils, unlike other authorities, are not obliged to publish a report on their actions, but the Government guidance requires all public authorities to complete their first consideration of what action to take for biodiversity by 1 January 2024. They must agree their policies and objectives as soon as possible after this and must reconsider the selected actions within five years of completing their previous consideration, or more frequently if they choose.

To comply with the guidance, town and parish councils could as a minimum:

• have biodiversity as an agenda item for a meeting before the end of 2023.

• note what action they are already taking to conserve and enhance biodiversity.

• agree what further steps they should take to conserve and enhance biodiversity.

Whatever action is agreed, as a minimum local councils should ensure they address biodiversity concerns when commenting on planning applications.

All these steps may inform an agreed biodiversity policy for an example is below.

**ODDINGTON PARISH COUNCIL BIODIVERSITY POLICY**

**BACKGROUND**

 In accordance with the duty imposed on town and parish councils by Section 40 of the Natural Environment and Rural Communities Act 2006, updated by Section 102 of the Environment Act 2021 any public authority which has any functions exercisable in relation to England must from time to time consider what action it can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective. This duty also means that town and parish councils can spend funds in conserving biodiversity.

**DEFINITION**

According to Defra (Biodiversity 2020), biodiversity is the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on the planet. Biodiversity is important for its own sake and has its own intrinsic value.

**AIMS AND OBJECTIVES**

The object of this policy is to work towards conserving and enhancing the biodiversity of the Council’s area. The Council will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies as required. In particular, the Council will aim to improve the biodiversity of the area in the following ways:

• consider the potential impact on biodiversity represented by planning applications.

• manage its land using environmentally friendly practices that will promote biodiversity.

• encourage and support other organisations within the parish to manage their areas of responsibility with biodiversity in mind.

• support residents and local organisation activities to enhance and promote biodiversity.

**ACTIONS**

When commenting on planning applications the Council will:

•, support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats.

• support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.

 • consider what each proposed development might make in terms of biodiversity net gain.

• include policies in support of biodiversity within the community plan.

When managing its land the Council will:

• consider the conservation and promotion of local biodiversity. This will include adopting beneficial practices with regarding to cutting and removal of vegetation, application of chemicals and timing of maintenance work.

• take special care in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment.

The Council will promote biodiversity by:

• engaging with residents on how the community can assist and make a difference.

• where feasible, involve the community in biodiversity projects on its land including for example tree planting, wildflower meadows, birdbox making.

The Council will work in partnership with other organisations to protect, promote and enhance biodiversity within the council area.

This policy was adopted on [14 December] and will be reviewed regularly