

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide		NO	
	Discretionary /	Need to be recommendations to Council		YES	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Michael De Whalley E-mail: <i>cllr.michael.dewhalley@west-norfolk.gov.uk</i>		Other Cabinet Members consulted:			
Lead Officer: Stuart Ashworth E-mail: <i>stuart.ashworth@west-norfolk.gov.uk</i> Direct Dial: 01553-616417		Other Members consulted: Members on the Biodiversity Task Group			
		Other Officers consulted: Claire Wiggs, Ecologist Martin Chisholm, Matthew Henry Assistant Directors, Claire Thomsett, Chris Durham, Operations Managers (Public Open Space)			
Financial Implications YES	Policy/ Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre- screening/ Full Assessment	Risk Management Implications NO	Environmental Considerations YES
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 5 November 2024

### RECOMMENDATIONS OF THE BIODIVERSITY TASK GROUP

#### Summary

The Biodiversity Task Group has been meeting since December 2023. It was set up by Cabinet following a notice of motion at Council on 10 September 2020. The recommendations of the group are set out in the report.

The notice of motion required that the recommendations should be brought to Cabinet via the Environment and Community Panel, before going to Council for consideration.

#### Recommendation

Cabinet resolves to recommend to council:

1 To accept the recommendations of the Urban Wildlife Informal Working Group as set out in paragraph 2.3, although recommendation 8 requiring a budget for delivery of the proposals would be covered separately through the creation of the two year fixed-term biodiversity project officer role.

2 To agree to the appointment of a Biodiversity project officer, for a fixed period of two years, with funding coming from the climate change budget.

3 That the council adopts the Biodiversity policies and specific objectives set out in appendix 1.

4 To agree the creation of a Pollinator Action Plan, on the basis of the draft attached (appendix 2), with the final wording to be agreed with the Assistant Directors for Environment and Planning and Operations and Commercial, in consultation with the portfolio holder for Climate Change and Biodiversity.

5 That the community biodiversity competition initiative, detailed in the report, is supported by the council.

### **Reason for Decision**

To provide a suitable response to the original notice of motion, and to help the council contribute to improving biodiversity in the borough.

## **1 Background**

1.1 At its meeting on 10 September 2020, Council agreed the following Notice of Motion.

Council was invited to consider the following Notice of Motion (3/20), proposed by Councillor S Squire and seconded by Councillor Long:

‘This council acknowledges that climate change is not the only challenge facing our natural environment. Therefore, this council agrees to ask Cabinet to set up a Cabinet task group, chaired by an appropriate portfolio holder, to work with our partners including Norfolk County Council and the Norfolk Biodiversity Partnership. Any recommendations on issues such as habitat protection and creation, the creation of a pollinator action plan and wildflower verges where possible, should be brought to Cabinet via the Environment & Community Panel before consideration at Council.’

1.2 On 15 March 2022, it was agreed that the Biodiversity Task Group (BTG) should be set up, to give consideration to the issues identified in the notice of motion.

1.3 Separate to the BTG, Environment and Community Panel (E & C), had created an Urban Wildlife Informal Working Group (UWIWG), to look at the specific issue of urban wildlife. At Cabinet on the 17 January 2023, it was agreed that the recommendations from the Environment and Community Panel’s UWIWG would be passed to the Cabinet Biodiversity Task Group for further consideration. It was also agreed that the Environment and Community Panel would be kept updated on progress with the recommendations as appropriate.

## **2.0 Meetings of the Biodiversity Task Group (BTG)**

2.1 The BTG has met on 5 separate occasions. The substantive issues considered are summarised below.

- The recommendations of the Urban Wildlife Informal Working Group
- Biodiversity Net Gain & Local Plan policy
- Biodiversity Duty
- Competition proposal from Cllr Devulapalli
- Pollinator Action Plans (including guest speaker)
- Existing biodiversity activities carried out and projects funded by the BCKLWN
- Options on Borough Council land and buildings going forward
- Report to cabinet and way forward

2.2 Whilst some of the items were for information, other items have led to the final recommendations to be put to Cabinet.

*Recommendations of the Urban Wildlife Informal Working Group (UWIWG)*

2.3 Biodiversity Task Group (BTG) has recommended that Cabinet approve the following recommendations and associated comments from the UWIWG

1. Encourage the use of bird boxes, bat boxes and hedgehog highways in new and existing Borough Council properties.
2. The Council to investigate providing wildflower seeds for redundant allotments and community orchards/gardens and encourage the planting of wildflower seeds in the community.
3. The Council to encourage bird feeding stations and nest boxes in schools.
4. Support a Nest Box Trail in King's Lynn.
5. Produce literature advising how residents can help support their urban wildlife and promoting the nest box trail in King's Lynn.
6. Engage with local groups to participate in urban wildlife.
7. Encourage Councillors to promote Urban Wildlife in their Wards and Parishes where appropriate.
8. That Cabinet be requested to provide a budget to deliver the proposals.

*Biodiversity Net Gain & Local Plan policy*

2.4 The new mandatory Biodiversity Net Gain regime implemented through the planning system was discussed, following a presentation by the council's ecologist.

2.5 The proposed new Local Plan is currently out to consultation at the advanced Main Modifications stage in the process. The plan is due to

be adopted early in 2025. There is a new criteria relating to biodiversity in the relevant policy within the new Local plan (LP18), which requires built-in nesting boxes (e.g. migratory bird species bee bricks, bat boxes and the like) and/or safe road crossing methods (e.g for hedgehogs), to be brought forward through qualifying new development wherever possible. The policy has been tested through the Examination process, and is agreed between the council and the Inspectors. There should therefore be no reason that the current version of the policy will not come into force when the plan is adopted, and it could be given weight in decisions possibly sooner, for example after receipt of the Inspectors Local Plan report. This situation will be monitored by officers.

### *Biodiversity Duty*

2.6 Public authorities operating 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 introduces. This means that a public authority must:

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

2.7 Public authorities must complete their first consideration of what action to take for biodiversity by 1 January 2024. Whilst it could be argued that the creation of the task groups and the work that has gone into that is the first consideration, it goes on to state that policies and objectives should be agreed as soon as possible after this, with reconsideration of the actions within 5 years of completion of the previous consideration.

2.8 Cabinet is asked to agree some high-level biodiversity policies and objectives, following on from the recommendations of the BTG. These proposed initial policies and objectives are attached as appendix 1 of this report.

### *Biodiversity Competition*

2.9 During the task group process, Councillor Devulapalli put forward plans for a biodiversity competition. A paper was taken to the task group, where it was agreed to recommend to Cabinet that the council would provide support to a community initiative, as the preferred option.

2.10 The support and guidance provided is envisaged to be publicly supporting and endorsing the proposal, helping advise on how to run the competition through the preparation of a project plan, and the provision of communications support to highlight the importance of biodiversity and the competition. It was also agreed that links with the

InBloom campaign and competition can also be considered as part of developing the project plan.

#### *Pollinator Action Plans*

- 2.11 Presentations were given to the group by a local expert representative from the Norfolk Wildlife Trust, as well as the council's own ecologist, on the benefits of having a Pollinator Action plan. Many councils have such a plan, to take positive action in trying to help reverse the general decline in pollinators.
- 2.12 It was agreed that the task group should recommend the production of a Pollinator Action Plan to Cabinet. If Cabinet agree to this, it is considered that this can be produced in-house, and indeed attached to this report is a draft Pollinator Action Plan (appendix 2). Approval to finalise aspects of this, particularly the action plan, are requested.

#### *Options on Borough Council land and buildings going forward*

- 2.13 A presentation was given to the task group where it was made clear that there are a number of initiatives carried out by the Public Open Space team that already take place on the council's own land in the borough. However it is important to consider what additional actions the council can take on its own land and buildings.
- 2.14 A report was therefore also prepared for the task group on options for further biodiversity enhancements on borough council land and buildings going forward. The potential options for enhancements were set out, along with the resource implications of this. In essence it was proposed that the only way to successfully promote biodiversity was to properly resource it, and provide a new role for a biodiversity project officer, to organise/lead on community projects, work with community groups, volunteers, schools and the POS operational team to identify suitable areas/projects and to help develop management plans, consult with residents and co-ordinate future proposals.
- 2.15 The role would also need to be involved in other tasks including aiding other officers in biodiversity related projects, for example the tree officer in POS in delivering the tree strategy, and Property Services in collating a catalogue of potential borough council sites for biodiversity. Such a role would likely cost around - £35,000 - £40,000 per annum with on costs, and it is proposed that this is a 2 year fixed term post initially, to assess how the post is working. It is proposed that this could be paid for out of the climate change budget.

### **3.0 Options Considered**

- 3.1 Option 1 -Do not accept the recommendations put forward

- 3.2 This would seem to go against the original notice of motion, as well as all the work that has gone into this issue, through the E & C working group as well as this one. With the introduction of Biodiversity Net Gain as well, this would be against the general direction of travel to take action to improve biodiversity. This is not the preferred option.
- 3.3 Option 2 – Partial acceptance of the recommendations
- 3.4 A partial acceptance of the recommendations could take place, accepting some but not others. For example not appointing the biodiversity project officer role. This will be a decision for members, but would not deliver the benefits that accepting all of the recommendations would, particularly as resources are already stretched carrying out current work.
- 3.5 Option 3 – Accept all of the recommendations put forward by the Biodiversity Task Group
- 3.6 Whilst there would be a cost to this, as set out earlier in this report, this is the recommended way forward, as it would deliver the best results for biodiversity, and was supported by not only the Biodiversity Task Group, but also the Urban Wildlife Informal Working Group.

#### **4.0 Policy Implications**

- 4.1 N/A

#### **5.0 Financial Implications**

- 5.1 There are financial implications should the fixed-term post be agreed. A biodiversity project officer role would cost the council approximately £80,000 over a two-year fixed term period.
- 5.2 It is proposed that this be funded out of the climate change budget, and therefore is sufficient funds available to do this.

#### **6.0 Personnel Implications**

- 6.1 A new two-year fixed-term post is proposed.

#### **7.0 Environmental Considerations**

- 7.1 These will be very positive and in favour of the preferred option, as it will contribute to improvements in biodiversity within the borough.

#### **8.0 Statutory Considerations**

8.1 The Biodiversity Duty is now a statutory requirement, under the Environment Act 2021.

## **9.0 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

9.1 See attached pre-screening assessment.

## **10.0 Risk Management Implications**

10.1 N/A

## **11.0 Declarations of Interest / Dispensations Granted**

11.1 N/A

## **12.0 Background Papers**

- Biodiversity Task Group agendas and minutes
- Environment & Community Panel agendas and minutes, in relation to the Urban Wildlife Informal Working Group

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## Stage 1 - Pre-Screening Equality Impact Assessment

Name of policy/service/function	Recommendations of the Biodiversity Task Group				
Is this a new or existing policy/service/function? <i>(tick as appropriate)</i>	New	<input checked="" type="checkbox"/>	Existing		
Brief summary/description of the main aims of the policy/service/function being screened.  Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	To help improve biodiversity in the borough  No				
Who has been consulted as part of the development of the policy/service/function? – new only <i>(identify stakeholders consulted with)</i>	Currently biodiversity task group, although E & C panel and Cabinet will scrutinise this before it goes to council.				
<b>Question</b>	<b>Answer</b>				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> <p><b><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></b></p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Sex			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
Other (eg low income, caring responsibilities)			x		

