

Cherwell District Council

Executive

5 September 2016

<p>Corporate Biodiversity Action Plan 2016-18 Protecting and Enhancing Cherwell's Natural Environment</p>
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Report of Community Services Manager

This report is public

Purpose of report

To seek approval for the 2016-18 Corporate Biodiversity Action Plan (BAP) (draft attached as Appendix 1 to this report)

1.0 Recommendation

The Executive is recommended:

- 1.1 To approve the proposed Corporate Biodiversity Action Plan 2016-18

2.0 Introduction

- 2.1 Delivery of a Corporate BAP is a specific objective in the Council's Business Plan 2016/17: "Deliver the Council's Biodiversity Action Plan "Protecting and Enhancing Cherwell's Natural Environment"
- 2.2 The purpose of the Corporate BAP is to demonstrate that the Council complies with its obligations under European and national legislation, as well as the requirements of the National Planning Policy Framework (NPPF), relating to important wildlife sites, habitats and species.
- 2.3 Protecting and improving biodiversity as well as good quality connected green spaces are essential elements of sustainable development.
- 2.4 The Corporate BAP includes aims, actions and targets relating to many of the Council's services, most importantly the Local Plan and the Development Management processes.
- 2.5 To date, the Corporate BAP has been reviewed and updated on an annual basis. However, due to the longer term nature of projects relating to the natural environment, it is more appropriate to be reviewed and updated every two years to reflect this.

3.0 Report Details

3.1 The Corporate BAP includes aims, actions and targets which are divided into a number of main themes. Achievement highlights for 2015/16 are listed below under 3.2. Key objectives for 2016-18 are listed below under 3.3. Both 3.2 and 3.3 are expanded upon in the full BAP document (Appendix 1).

3.2 2015-16 achievement highlights include;

- The adopted Cherwell Local Plan 2011-2031 (Part 1) includes robust policies relating to biodiversity and the natural environment.
- At least 554 planning applications were assessed in 2015/16 by the Council's Ecology Officer with regard to relevant biodiversity legislation and planning policy (small increase from 2014/15).
- Updated digital datasets for protected and notable species, priority habitats, Local Wildlife Sites and swifts data were made available to Planning Officers for use as an evidence base – in partnership with Thames Valley Environmental Records Centre.
- The Cherwell Swift Conservation Project continued to gather information about nesting sites throughout the District in partnership with local people. This is used in the assessment of planning applications to help protect these sites and provide additional habitat.
- Cherwell Build continued to include swift and bat boxes in most of its projects. Swift bricks have been included in Bicester's new community facility (Franklins House) to complement adjacent properties which are already used by these birds.
- Several Council funding bids were approved as part of the Oxfordshire Local Enterprise Partnership's Strategic Environmental Investment Plan including the proposed Cherwell Country Park.
- A number of biodiversity sites received, or are being considered for, external funding as a result of Council action. For example, the Slade Nature Reserve in Bloxham was awarded a Trust for Oxfordshire's Environment grant; and Network Rail has prioritised Island Pond Wood in Launton and the Bicester Wetland Reserve for potential funding as part of its "East West Rail Net Biodiversity Positive" programme
- A third bat box project was established in the District (in addition to Kirtlington Quarry and Grimsbury Woodland, Banbury) at Daeda's Wood, Deddington – in partnership with the Friends of Daeda's Wood, the Woodland Trust and the Berks, Bucks & Oxon Wildlife Trust (BBOWT).
- Funding support towards encouraging and facilitating community engagement has been given to the Wild Banbury project based in Spiceball Park – in partnership with BBOWT and Banbury Town Council
- At least 12 primary school and youth group biodiversity visits have been made to Warriner School Farm, and Forest School sessions at 9 primary schools were supported

3.3 Key objectives for 2016-18 are;

- Include additional Development Management policies on the natural environment in Local Plan Part 2.
- Develop more detailed planning guidance on the natural environment as part of the Sustainable Buildings and Planning Obligations Supplementary Planning Document.
- Continue to assess and provide advice on planning applications that impact on important sites, habitats and species.

- Continue to consult with the Cherwell Swift Conservation Project and secure provision for wildlife within Cherwell Build projects
- Support BBOWT with 'healthy for wildlife, healthy for people' initiatives on District sites
- Promote Trust for Oxfordshire's Environment grant funding for local projects and provide support where possible
- Progress a potential water vole project based on the Oxford Canal through Kidlington in partnership with Kidlington Parish Council, the Canal & River Trust and BBOWT
- Continue to support the Conservation Target Areas mapping review in order to ensure the robustness of the Council's evidence base in partnership with Wild Oxfordshire
- Establish a bat box project in the Slade Nature Reserve in Bloxham in partnership with Bloxham Parish Council and BBOWT
- Support further primary school/youth group biodiversity visits to Warriner School Farm as well as Forest School sessions

3.4 The delivery of the Corporate BAP relies heavily on partnership work with a number of environmental organisations. The Council supports five main environmental organisations with annual funding in accordance with service level agreements. These organisations provide progress reports each year which are published on the Council's natural environment webpages.

3.4.1 **The Thames Valley Environmental Records Centre (TVERC)** supplies high quality, up to date habitat, species and site data required as an evidence base for the Local Plan process and for the ecological assessment of planning applications. TVERC's service involves intensive mapping work using aerial photography and survey work to assess habitat condition. TVERC also reports on Local Plan indicators, information which is required for the Council's Annual Monitoring Report.
2016/17 service charge - £7,843

3.4.2 **Wild Oxfordshire** leads on partnership work to maintain and improve the District's Conservation Target Areas which are used as a planning focus for biodiversity enhancement.
2016/17 service charge - £2,000

3.4.3 **Berks, Bucks & Oxon Wildlife Trust (BBOWT)** provides land management advice to Local Wildlife Site (LWS) owners/managers. LWSs are sites of substantive nature conservation value or geological interest which are protected by planning policy. The advice helps to improve site value and maintain the robustness of the LWS designation. This is important as LWS designation is a constraint in the planning process.
2016/17 service charge - £5,000

3.4.4 **Royal Society for the Protection of Birds (RSPB)** provides land management advice to landowners/managers within the Cherwell and Ray river valleys on wetland habitat creation, restoration and maintenance. Wetland is a national priority habitat which supports birds and other wildlife which are national priority species.
2016/17 service charge - £2,000

3.4.5 **Warriner School Farm** delivers a programme of primary school and youth group visits about the importance of the natural environment as a food source, for its health benefits and for its intrinsic value.
2016/17 service charge - £1,500

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Corporate BAP provides a framework of aims, actions and targets, the delivery of which ensures that the Council complies with both legislative and planning policy requirements relating to important wildlife sites, habitats and species and good quality connected green spaces.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To reject the Corporate BAP 2016-18. This is not proposed as the Council would not be able to clearly demonstrate that it is meeting biodiversity legislation and planning policy requirements.

Option 2: To amend the Corporate BAP 2016-18

7.0 Implications

Financial and Resource Implications

- 7.1 Delivery of the Corporate BAP in 2016-17 is contained within approved revenue estimates. Continuing delivery in 2017-18 will be subject to the approved revenue estimates for that year.

Comments checked by Kelly Wheeler, Principal Accountant, 01327 322230, Kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are statutory requirements that the Council must meet and which are set out in the Natural Environment and Rural Communities Act 2006 and related legislation, including a duty under Part 3 of the 2006 Act to have regard, so far as is consistent with the proper exercise of its functions, to the purpose of conserving biodiversity. An annual Corporate Biodiversity Action Plan should enable the Council to demonstrate that these requirements are being met. Failure to do so will leave the Council open to challenge.

Comments checked by Richard Hawtin, Team Leader, Non-contentious Business, 01295 221695, richard.hawtin@cherwellandsouthnorthants.gov.uk,

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Most wards

Links to Corporate Plan and Policy Framework

The **Council's Business Plan 2016/17** includes the objective: "Deliver the Council's Biodiversity Action Plan "Protecting and Enhancing Cherwell's Natural Environment" under its strategic priority "Cherwell: safe, green, clean".

The **adopted Cherwell Local Plan (2011-2031) (Part 1)** includes policies specifically relating to Protecting and Enhancing Biodiversity and the Natural Environment (ESD 10), Conservation Target Areas (ESD 11) and Green Infrastructure (ESD 18)

Lead Councillor

Councillor Tony Ilott, Lead Councillor for Public Protection

Document Information

Appendix No	Title
Appendix 1	Corporate Biodiversity Action Plan 2016-18
Background Papers	
(a) Guide to Biodiversity 2020 (b) Biodiversity and Planning in Oxfordshire 2014 (c) Adopted Local Plan Policies (d) National Planning Policy Framework, Section 11 (e) Biodiversity Assessment in Neighbourhood Planning (f) Natural Environment White Paper and Local Authorities (g) Oxfordshire BAP and CTAs (h) Biodiversity Partners progress reports – www.cherwell.gov.uk/biodiversitypartners	
Background papers have links and/or are available as downloads at www.cherwell.gov.uk/naturalenvironment	
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