

Cherwell District Council

Executive

1 June 2015

Corporate Biodiversity Action Plan 2015/16 Protecting and Enhancing Cherwell's Natural Environment

Report of Interim Community Partnerships & Recreation Manager

This report is public

Purpose of report

To seek approval of the 2015/15 Corporate Biodiversity Action Plan (BAP) (draft attached as Appendix 1 to this report)

1.0 Recommendations

The meeting is recommended

- 1.1 To approve the proposed Corporate Biodiversity Action Plan (BAP) 2015/16

2.0 Introduction

- 2.1 Delivery of a Corporate BAP is a specific objective in The Council's Business Plan 2015/16: "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 planning application process.

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 are listed below under 3.2; and the

proposed key objectives for 2015/16 under 3.3. Both the key objectives and achievement highlights are expanded upon in the full BAP document (Appendix 1)

3.2 2014/15 achievement highlights -

- The Submission Cherwell Local Plan Part 1 (as modified February 2015) includes robust policies relating to biodiversity and the natural environment
- 535 planning applications were assessed in 2014/15 by the Council's Ecology Officer with regard to relevant biodiversity legislation and planning policy (78% increase from 2013/14).
- An updated and improved digital dataset illustrating the habitat resource of the whole District is now available for use as an evidence base – in partnership with the Thames Valley Environmental Records Centre (TVERC)
- The NW Bicester development is the first development in the District that has used the DEFRA metric to demonstrate how the scheme can achieve net bio diversity gain. As part of this, the need for an offsite compensation scheme relating to loss of farmland bird habitat was identified and has been agreed
- Cherwell Build has included swift and bat boxes in many of its projects
- The Cherwell Swift Conservation Project has gathered information about nesting sites in the majority of Cherwell parishes in partnership with local people. This is used in the assessment of planning applications to help protect these sites and install additional provision
- Bat box projects have been established in Kirtlington Quarry and Grimsbury Wood – in partnership with the Berks, Bucks & Oxon Wildlife Trust (BBOWT)
- Staff and funding support were given to the successful 2014 Oxfordshire Goes Wild event held at Bure Park School in Bicester – in partnership with Wild Oxfordshire
- At least 13 primary school biodiversity visits were subsidised in 2014/15 at Warriner School Farm. A number of these schools had not previously been regular visitors to the Farm.

3.3 Proposed key objectives for 2015/16 and beyond -

- Consider the need for inclusion of additional development management policies on the natural environment in Local Plan Part 2 to supplement Policies ESD10 (protection and enhancement of the natural environment), ESD11 (Conservation Target Areas) and ESD18 (Green Infrastructure) in Local Plan Part 1
- Develop detailed planning guidance to supplement Local Plan policies on the natural environment as part of the Sustainable Buildings SPD
- The Council's Ecology Officer (0.3fte.) will attempt to assess and advise on all planning applications that may impact on important habitats and species. However, a 78% increase in the number of such planning applications from 2013/14 to 2014/15 indicates the need to review the amount of resource required to support this process.
- An updated digital dataset relating to District Wildlife Sites will be provided to improve the Council's evidence base – in partnership with TVERC
- British Standard 42020 (a code of practice for biodiversity in planning and development published in 2013) will be worked towards starting with a review of the Council's development management validation checklist and standard biodiversity planning conditions
- Cherwell Build will continue to consult with the Cherwell Swift Conservation Project to secure provision for swifts within its projects
- Delivery of biodiversity improvements and access associated with the development of Cherwell Country Park – through working with the Environment

Agency, the local Wildlife Trust, RSPB and other stakeholders. This proposed Country Park is adjacent to the Banbury retail park development and will provide opportunities for local residents and visitors to access and enjoy nature

- Conservation Target Areas will be reviewed and updated to improve the Council's evidence base – in partnership with Wild Oxfordshire
- A bat box project will be established in Daedas Wood near Deddington – in partnership with BBOWT
- Further primary school biodiversity visits will be subsidised at Warriner School Farm and this provision will be expanded to include youth groups

3.3 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 during and at the end of each year which are published on the Council's natural environment webpages.

3.3.1 The Thames Valley Environmental Records Centre supplies high quality, up to date habitat, species and site data that is 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. 2015/16 service charge - £7,843

3.3.2 Wild Oxfordshire co-ordinates the Oxfordshire Local Nature Partnership; champions the natural environment through continuing engagement with Local Enterprise Partnerships (LEPs) and is currently contributing to a County/LEP Environment and Economic Investment Plan; leads on partnership work to maintain and improve the District's Conservation Target Areas which are used as a planning focus for biodiversity improvement; and delivers 'Biodiversity and Planning' related talks to local communities. 2015/16 service charge - £2,000

3.3.3 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. 2015/16 service charge - £5,000

3.3.4 RSPB provides land management advice to landowners/managers within the Cherwell and Ray river valleys on wetland habitat creation, restoration and maintenance. Such habitat is a national priority which supports birds and other wildlife which are national priority species. 015/16 service charge - £2,000

3.3.5 A successful programme of primary school visits about the importance of the natural environment as a food source, for its health benefits and for its intrinsic value was delivered in 2014/15 by Warriner School Farm. This will be expanded in 2015/16 to include youth group visits such as cubs, brownies and youth clubs. 2015/16 service charge - £1,500

4.0 Conclusion and Reasons for Recommendations

- 4.1 The annual 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 2015/16 – but the Council would not be able to demonstrate that it is meeting biodiversity legislation and planning policy requirements.

Option 2: To amend the Corporate BAP 2014/15

7.0 Implications

Financial and Resource Implications

- 7.1 Delivery of the 2015/2016 Corporate BAP will be contained within existing Revenue Estimates. Further consideration is being given to the best means of supporting the increased demand for ecology advice for relevant planning applications.

Comments checked by Paul Sutton, Head of Finance and Procurement, 01295 221634, paul.sutton@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 - All

Links to Corporate Plan and Policy Framework

The **Council's Business Plan 2015/16** includes the objective: "Deliver the Council's Biodiversity Action Plan "Protecting and Enhancing Cherwell's Natural Environment" under its second strategic priority "Cherwell: safe, green, clean".

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

The **2010 Sustainable Community Strategy** reports that the quality of the natural environment is one of the features that the people in Cherwell value most; and includes priority actions for biodiversity under its third ambition "Connected and Protected – our infrastructure and environment in 2030" –

- SCS3.9f - Link in with existing Biodiversity Action Plans and support the active encouragement of the protection and enhancement of the natural environment.
- SCS3.10b - Work to protect our environment and biodiversity by supporting farmers, land owners, volunteers and local businesses.
- SCS3.LB2 – Bicester – to demonstrate exemplary environmental and social practice in managing growth.
- SCS3.LR4 – Rural – Supporting rural land managers to adapt to the impacts of climate change.

Lead Councillor

Councillor George Reynolds, Deputy Leader

Document Information

Appendix No	Title
Appendix 1	DRAFT Corporate Biodiversity Action Plan 2015/16
Background Papers	
None	
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