

This report is public	
Biodiversity Duty Report 2024-25	
Committee	Executive
Date of Committee	3 March 2026
Portfolio Holder presenting the report	Portfolio Holder for Greener Communities, Councillor Tom Beckett
Date Portfolio Holder agreed report	9 February 2026
Report of	Executive Director Place and Regeneration, Ian Boll

Purpose of report

To consider and endorse the Biodiversity Duty Report 2024-25.

1. Recommendations

The Executive resolves:

- 1.1 To endorse the Biodiversity Duty Report 2024-25.
- 1.2 To note that following the completion and adoption of a Community Biodiversity Plan, an annual update be presented to the Executive.

2. Executive Summary

- 2.1 The Environment Act 2021 amended Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 to strengthen the existing 'Biodiversity duty'. This duty requires all public authorities to consider what they can do to 'conserve and enhance biodiversity'. This is a corporate responsibility that goes across all Council departments, actions and decision making.
 - 2.2 All public authorities must:
 - Consider what they can do to conserve and enhance biodiversity
 - Agree policies and specific objectives based on the consideration
 - Act to deliver the policies and achieve the objectives.
 - 2.3 The duty will contribute to the government's Environmental Improvement Plan (EIP23) published in January 2023 which set out the nation's commitments to halt the decline in species abundance and to protect 30% of UK land and sea for nature through the Nature Recovery Network by 2030.
 - 2.4 A report was approved by the Council's Executive in November 2023 which noted the requirements of the Act in respect of biodiversity and the on-going preparation
- Cherwell District Council

for the introduction of statutory Biodiversity Net Gain requirements. The Executive resolved to approve the preparation of a revised Community Biodiversity Plan in the interest of meeting the statutory general biodiversity objective, to monitor the progress in delivering that Plan and to keep it under review.

- 2.5 Although the Community Biodiversity Plan for the current period has not yet been produced, in 2025 the Council restructured services within a new Place and Regeneration Directorate which included the creation of a Biodiversity and Climate Resilience service. A new Head of Service position has been established and filled. The creation of this service will enable more resource and focus for addressing biodiversity and climate change priorities and will result in their integration, where appropriate, to achieve common objectives. The production of the new Community Biodiversity Plan will a priority for the new service.
- 2.6 In the meantime actions for biodiversity conservation and enhancement have been progressed and new objectives set within different Council services. The purpose of this Biodiversity Duty Report is to report on these for the reporting period 2024-25.

Implications & Impact Assessments

Implications	Commentary
Finance	<p>There are no direct financial implications of approving this report, as it supports us in complying with our statutory duties.</p> <p>Kimberley Digweed - Finance Business Partner 16 February 2026</p>
Legal	<p>Section 102 of the Environment Act 2021 amends the duty to conserve biodiversity under Section 40 of the Natural Environment and Rural Communities Act 2006. Section 40 places a duty on public bodies to conserve and enhance biodiversity (the ‘general biodiversity objective’). Section 40A of the Act requires a biodiversity report to be prepared. The Council is required to publish its first biodiversity report no later than 1 January 2026 (being 3 years after the obligation coming into force) to demonstrate the policies and actions carried out to comply with the biodiversity duty. After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period.</p> <p>Section 40A of the Act also places a duty on Local Authorities who are Local Planning Authorities to report on additional information about biodiversity gain, details of which are included in the report.</p> <p>On 23 December 2025, the Department for Environment and Rural Affairs (DEFRA) clarified that the first reporting period must conclude no later than 1 January 2026 and the report must be published 12 weeks of this date (i.e. by 26 March).</p> <p>The endorsement of the Biodiversity Report would assist the Council in meeting statutory obligations but further work is required. In particular, the Report highlights the on-going</p>

	<p>commitment to produce a Community Biodiversity Plan, which is required to be fully compliant with the Council's statutory duties (as decided by the Executive in November 2023).</p> <p>As far as we are aware, there are no statutory fines or other sanctions for failing to comply with its duties, however, a legal challenge could arise where it can be shown that the Local Authority makes decisions without regard to its biodiversity duties under the Act.</p> <p>Denzil – John Turbervill, Head of Legal Services, 23 February 2026</p>			
Risk Management	<p>There are no risks arising from the proposed endorsement of the Biodiversity Report. Meeting statutory obligations is considered above</p> <p>Celia Prado-Teeling, Performance Team Leader, 9 February 2026</p>			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		The Council's duty to conserve and enhance biodiversity is of benefit to all.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		As above
Climate & Environmental Impact	X			The endorsement of the Biodiversity Report would assist the Council in meeting statutory obligations but further work is required. In particular, the Report highlights the on-going commitment to produce a Community Biodiversity Plan (as decided by the Executive in November 2023).
ICT & Digital Impact		X		N/A
Data Impact		X		N/A
Procurement & subsidy		X		N/A

Council Priorities	Vision for Lasting Change 2025-2030 Priority 3 – Environmental Stewardship, specifically according with ‘to Safeguard the environment and promote biodiversity’.
Human Resources	N/A
Property	N/A
Consultation & Engagement	N/A

Supporting Information

3. Background

- 3.1 The Biodiversity Report includes the policies, objectives and actions for biodiversity, the work activity in relation to the achievement of Biodiversity Net Gain and the future actions for biodiversity. It is the first report produced under the amended requirements of Natural Environment and Rural Communities Act 2006 arising from the Environment Act 2021.
- 3.2 Although the Act only requires a report to be published within 5 years of the end date of the previous reporting period. It is proposed that an annual Biodiversity Report be presented to the Executive.

4. Details

- 4.1 The first Biodiversity Report highlights the policies and objectives for biodiversity arising from:

1. the Cherwell Local Plans
2. Green and Blue Infrastructure Strategy (2022)
3. Well-Being Strategy 2024-2028
4. Cherwell District Councils Business plan 2024-2025
5. Corporate Plan 2025 -2026
6. Climate Action Plan Nov 24 – Apr 26

- 4.2 The report makes clear that actions for biodiversity and nature recovery would not be possible without working in collaboration and partnership with key organisations as well as the contributions of a network of local conservation and community groups. It highlights the actions for biodiversity arising from:

1. Local Nature Recovery Strategy
2. Local Wildlife Site project
3. District Wildlife Site project
4. Great Crested Newt District Licence Scheme
5. Oxfordshire Local Nature Partnership
6. Priority species off setting pilot scheme

7. Planning biodiversity checklist
8. Delivery of projects associated with the Well-Being Strategy
9. Biodiversity enhancement on Council managed land
10. Work to further climate adaptation and resilience.

4.3 With regard to the achievement of Biodiversity Net Gain, the report demonstrates that during 2024-2025 11 Biodiversity Gain Plans were approved, with more than 70 biodiversity net gain metrics assessed. The 11 plans show that an average of 15.51% net gain in 'area' habitats has been achieved and a 63.95% net gain in hedgerow habitats. Of the 11 sites, nine developments achieved net gain on site with two buying off site units from habitat banks (one from inside the LPA boundary and one from a unit provider in an adjacent LPA).

4.4 The Biodiversity Report emphasises that the key action on-going is to develop the 'Community Biodiversity Plan' and ensure it is aligned with habitat and species priorities within the Oxfordshire LNRS. Other areas of focus will be:

1. Monitoring of ecological enhancements within developments
2. Embedding the LNRS within Council decisions on nature recovery and land use
3. Considering any implications arising from any government review of the Environmental Improvement Plan
4. The integration into local policy and development management decisions of species conservation strategies and protected site strategies as and when progressed by the national government.

4.5 There will be continued implementation and monitoring of mandatory Biodiversity Net Gain (BNG) requirements, the on-going provision of support to applicants through the planning system and the use of a recently procured specialist software package (Mycelia) to provide greater detail of BNG delivery and ensure effective monitoring, the continuation and improvement of the service to landowners wishing to secure habitat banks within the district.

4.6 The Council will also continue to assess whether any Council owned land has the potential to be managed effectively as a gain site.

5. Alternative Options and Reasons for Rejection

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

Option 1: The Executive could decide not to endorse the Biodiversity Duty Report. This option is not recommended as the Report will assist in meeting statutory requirements notwithstanding the on-going commitment to produce the Community Biodiversity Plan within the new Biodiversity and Climate Resilience Service.

6. Conclusion and Reasons for Recommendations

6.1 The Biodiversity Duty Report is presented for the reporting year 2024-25 to demonstrate what the Council is doing to conserve and enhance biodiversity, to

highlight the relevant policies and objectives that are contributing to meeting the biodiversity objective and where delivery is being achieved. It also identifies the future actions necessary for on-going statutory compliance and to demonstrably improve the variety of the living organisms and ecosystems that comprise Cherwell's natural environment. Members are invited to endorse the report and the proposal for an annual report following the completion of the Community Biodiversity Plan which will also be presented to the Executive.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Biodiversity Duty Report (including appendices)
Background Papers	None
Reference Papers	None
Report Author	Charlotte Watkins, Senior Ecologist David Peckford, Assistant Director – Planning
Report Author contact details	charlotte.watkins@cherwell-dc.gov.uk david.peckford@cherwell-dc.gov.uk
Executive Director Approval (unless Corporate Director or Statutory Officer report)	Ian Boll, Executive Director Place and Regeneration 9 February 2026