

Thursday 22nd August 2024

**Report of the Deputy Leader of the Council and Portfolio Holder
for Environmental Sustainability, Recycling and Waste**

Nature Recovery Declaration Briefing Paper

Not Exempt

Purpose

To update the Committee on the authority's work around the Nature Recovery Declaration that was made in November 2023.

Recommendations

It is recommended that:

1. Members approve the Biodiversity Consideration. As set out in Appendix 1
2. Endorse the progress and updates provided.

Executive Summary

The significance of the Nature Recovery Declaration that the Borough Council made in November 2023 requires quarterly updates to share progress with Members. The declaration is replicated in the Background section of the report.

This update also outlines the importance to have a Biodiversity Consideration in place and provides a draft for approval. The report also includes an overview of the work that the County Council are undertaking to deliver the Local Nature Recovery Strategy (LNRS) and of the work that the Planning Team have been doing to be Biodiversity Net Gain (BNG) ready.

Biodiversity Consideration:

The Biodiversity Duty is a legal obligation that requires public authorities to show regard for the conserving biodiversity in all of their actions. Biodiversity Duty responsibilities table with identified areas of work is shown in Appendix 4.

The Duty contains a number of expectations for action, of which the Biodiversity Consideration is the first. The Consideration must be completed by 1 January 2024, with policies and objectives to be agreed as soon as possible after then. Authorities must then reconsider the actions they could take within 5 years as a maximum, although there is no limit to the number of times it can be re-considered.

The Consideration does not need to be published, but there is a statutory requirement to publish a Biodiversity Report by January 2026 and at regular intervals of a maximum of 5 years from the end of the reporting period of the previous report.

The nationally proposed structure and content for Biodiversity Considerations can be found in Appendix 1 (p 7-10) and the proposed draft Biodiversity Consideration for Tamworth under Appendix 1 can be found from page 11. It has been developed with significant input

from Staffordshire Wildlife Trust, utilising the suggested template from DEFRA (Department for Environment, Food and Rural Affairs) to create Tamworth's baseline report. The Wildlife Trust have not been asked to support any other Authorities in undertaking a Consideration and no other Considerations have been made available to the public as far as Officers are aware.

The proposed Biodiversity Consideration Report is available in the appendix 1, whilst the Biodiversity Duty responsibilities table can be found in appendix 4.

Progress on the Local Nature Recovery Strategy:

The timetable for delivering this work is March 2025.

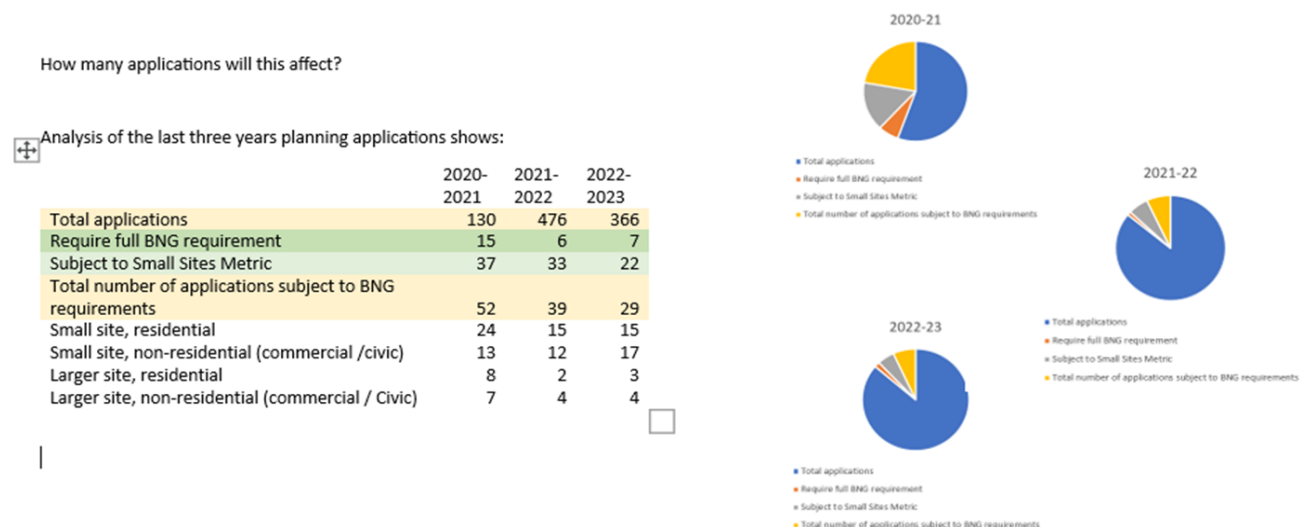
Staffordshire County Council (SCC) is the responsible body for delivery of the Local Nature Recovery Strategy and has received Government funding to facilitate this across the County.

The Local Nature Recovery Strategy Team are following multiple workstreams and meeting with different stakeholders, such as the Wildlife Trust, local species expert groups, local authorities and other interested parties, at least monthly. The project is being co-ordinated by The LNRS Project Manager of Staffordshire County Council (SCC) who has met with various representatives from both Growth & Regeneration and Environment, Culture and Wellbeing teams. SCC are looking for substantial input into the project from local authorities.

Biodiversity Net Gain (BNG):

The planning department are fully briefed on the implications and implementation of BNG and await our first BNG eligible application. It is not anticipated there will be large numbers of applications to be liable, due to the legal exemptions and the spatial picture in Tamworth (householder development, for example, is exempt). An analysis of historical applications suggested that the authority will be looking at single figures for large site applications and small site applications are likely to be in the region of 20-30 annually. An analysis of planning applications over the last three years that would now require BNG is depicted in Table 1 Below.

Table 1: Planning Applications Analysis for BNG Purposes



The planning validation team have attended Local Government Association Planning Advisory Service (PAS) training, and the development management team will be liaising

with Ecology teams at SCC when considering applications and post-determination submission of Gain Plans. The development management team have access to a weekly BNG drop ins run by the PAS should any questions arise.

It remains for TBC to set a policy threshold for “significance” in the context of on-site gain given the spatial constraints of the borough and the likelihood that small gains are in fact more “significant” to nature recovery in Tamworth than elsewhere. This should be done as part of the local plan policy development and relates to aims 1 and 2 of the Nature Recovery Declaration.

In order to ensure that development in Tamworth also leads to gains in Tamworth, Staffordshire Wildlife Trust (SWT) are looking at the spatial picture of the area and advising on whether any land we hold could be managed to improve its biodiversity value and provide the potential for BNG gains within Tamworth, that could be offered to developers to assist them in meeting their obligations. This work is still at an early stage, but sites have been identified that lie in transport corridors that would assist with linking green and blue spaces.

SWT trust have estimated that 75 biodiversity units should provide sufficient habitat banking capacity to cover the boroughs needs. Some work done by West Midlands Combined Authority gives a “rule of thumb” indication of BNG unit value per hectare by land type, as shown in Appendix 2.

Options Considered

In terms of Biodiversity Net Gain delivery, the planning team, working with Staffordshire Wildlife Trust are looking at options for off-site biodiversity unit generation (habitat banking). Work has been commissioned to support this workload.

Resource Implications

The Government has committed to funding all new burdens on local authorities arising from the Environment Act, including those due to the biodiversity duty on public authorities, Biodiversity Net Gain (BNG) for Tamworth and Local Nature Recovery Strategies (LNRSs) for SCC. Officer time is being invested into this work to support a collaborative and partnership approach to its application. Any future impacts will be brought back to this committee if there are any impact on the MTFs.

Legal/Risk Implications Background

By undertaking this work, the council is in a stronger position to understand and fulfil the full requirements and legal obligations of the Environment Act 2021.

The council is actively working to create, restore, and enhance the boroughs local wildlife, which will positively impact the environment and respond to the climate and nature crisis. Staying ahead and involved with the collaborative work from the Staffordshire Sustainability Board (SSB) can lead to bigger/better environmental outcomes.

All public authorities have a duty to conserve and enhance biodiversity and must “have regard” to relevant local nature recovery strategies in the process.

As stated in the initial Nature Recovery Declaration, the authority wishes to be seen as a leader in Nature Recovery and not complicit in nature’s decline. Failing to act on adopted Declarations could leave us open to reputational challenges if progress is not being made.

The authority could be subject to challenge if they are unable to fulfil the statutory duties, such as the Biodiversity Duty.

Equalities Implications

The most vulnerable to the climate crisis will benefit from nature recovery.

Nature deprivation can be closely linked with general deprivation and so working to enhance nature and biodiversity in the borough may positively support our residents' sense of wellbeing and the mental health benefits that engaging in such spaces can bring. Within Tamworth, the good array of nature reserves and public open spaces means there is access to nature for many on the doorstep.

Supporting all our residents to feel safe within our open spaces will enable them to gain the maximum wellbeing benefits from engaging within them.

A Community Impact Assessment is available in appendix 5.

Environment and Sustainability Implications (including climate change)

The Nature Recovery Declaration and this area of work is intended to develop and build on the work already being undertaken by the council and increase collaboration with other authorities of the Staffordshire Sustainability Board with regards to the climate and nature crisis.

The work will help focus on the important commitments to the environment by helping create more, bigger, better, and joined up habitats. Investing in nature recovery and nature-based solutions will also help alleviate and resolve impacts of Climate Change.

Background Information

In November 2023 the Council adopted the Nature declaration which is provided below and also updates on the progress made to date for Members.

TBC's Nature Recovery Declaration progress:

Declaration:

Tamworth Borough Council recognise that:

- Nature is in long-term decline, and the requirement to take action to halt and reverse this is urgent;
- Nature provides us with vital support systems, and severe declines in biodiversity are undermining nature's productivity and adaptability, posing excessive uncertainty for our economies and wellbeing;
- A thriving natural environment underpins a healthy, happy, prosperous society;
- The impacts of climate change are driving nature's decline, while restoring nature provides a wide variety of cost-effective benefits to mitigate and adapt to the impacts of climate change.
- Many of our areas of work across the Borough have an impact on nature, and we have responsibilities to make decisions to protect and enhance it.
- That the 'Bigger, Better, More and Joined-up' principles of the 2010 Lawton Report – 'Making Space for Nature' - should be followed to help rebuild nature:

Tamworth Borough Council will:

Putting Nature into Recovery:

1. Create and implement an evidence-based Local Nature Recovery Action Plan for Tamworth that will support the Stoke and Staffordshire Local Nature Recovery Strategy (LNRS), when available, in collaboration with partners.

Work is being undertaken with Staffordshire Wildlife Trust to develop a local action plan and this will demonstrate the authority's commitment to monitor Tamworth's nature spaces.

The Tamworth Action Plan will include short and long-term targets for putting nature into recovery over a specified timeframe, and reports on progress will be published on an annual basis.

2. Embed nature's recovery into all strategic plans and policy areas, not just those directly related to the environment. Use the council's Nature Recovery Network map (Appendix 3) to inform strategic plans and policy areas, and to help guide development and land allocation decisions. Ensure the Nature Recovery Network map is embedded within the authority's Local Plan, ensuring that there are dedicated, joined-up spaces for nature as well as housing, industrial areas and other land uses.'
3. Ensure local nature recovery is well understood across the authority and complements other relevant plans and strategies. Provide training and resources for councillors and council employees about the ecological emergency.

Officers will aim to have a training schedule set for staff and Members by the end of 2024.

Biodiversity Net Gain:

4. To ensure that Biodiversity Net Gain (BNG) legislation delivers real benefits for nature, the council will develop a locally specific BNG policy which requires developers to take into account the Local Nature Recovery Strategy and the Local Nature Recovery Action Plan for Tamworth when selecting locations and delivering both on- and offsite BNG.'

This work will be undertaken as part of the local plan; the draft sustainability appraisal for biodiversity, geodiversity and open space setting out the current picture is underway.

30 by 30:

5. Seek to manage at least 30% of council-owned greenspace for the benefit of wildlife by 2030.
An open space / green space network project with SWT is currently ongoing.

Protected and Designated Landscapes:

6. Produce a monitoring plan for all council-managed protected and designated nature sites, eg. SSSIs, LNRs and LWSs, with a view to achieving favourable condition status by 2030.

Road Verges

7. After satisfying safety and visibility priorities and the Highway Code, develop highways verge cutting regimes that maximise potential for biodiversity, carbon storage and sequestration.

Future work in this area will support the development of residents, staff and Members understanding of this action, with potential cost implications being investigate as part of this process.

Tree-planting

8. Formulate a tree policy and strategy which is underpinned by Nature Recovery Network mapping across the local authority area, pursuing a “right tree, right place” approach.

Protecting Peatlands

9. Consider the adoption of a peat-free policy for all council contracts and supplies. Where appropriate peat-free composts are now being utilised in the borough.

Nature Based Solutions

10. Carry out a carbon audit of local authority sites to establish how carbon storage and sequestration can be improved.

Access to Nature

11. Improve access to good quality natural spaces for Tamworth Borough residents by following Natural England’s Green Infrastructure Framework.’

Communications

12. Begin sharing joint nature-based communications created by Staffordshire Wildlife Trust.
Relevant communications and information by key partners will be shared as appropriate as the opportunities arise.
13. Demonstrate leadership by championing Nature Recovery and supporting and educating residents as well as the local business and communities to take action to put nature into recovery.

Responsibility and Governance

14. That the Leader of the Council is responsible for ensuring the delivery of the declaration.
15. Appoint the Assistant Director Operations and Leisure as the Lead Officer for coordinating council operations in relation to local nature recovery.

An Assistant Director of Environment, Culture and Wellbeing has been appointed in replacement to the above position.

16. That the Infrastructure Safety and Growth Scrutiny Committee monitor the Local Nature Recovery Action Plan.
17. Work closely with Staffordshire County Council and other local partners to form a Staffordshire-wide Local Nature Recovery Partnership.

This group has now been established and is meeting quarterly.

Report Author

Anna Miller – Assistant Director – Growth & Regeneration

Niki Stokes – Planning Assistant (Policy)

Hannah Peate- Assistant Director- Environment, Culture and Wellbeing

Charlotte Cheesman- Climate Change Officer

Appendices

Appendix 1: Biodiversity Consideration national framework and TBC's Proposed draft.

Appendix 2: Habitat Types and BNG Unit Value

Appendix 3: Tamworth Nature Recovery Network Map

Appendix 4: Biodiversity Duty Responsibility Mapping

Appendix 5: Community Impact Assessment

Appendix 1: Biodiversity Consideration Overview P 7-11

1. The Biodiversity Duty Introduction

1. This report relates to the Council's Corporate and Planning roles and responsibilities under the Environment Act 2021 for protecting and enhancing biodiversity across the Borough, and covers how the Council will:
 - Consider the new corporate Biodiversity Duty responsibilities set out in the Environment Act 2021 and Local Planning Authorities requirements to propose and report on actions within a Biodiversity Report, building and monitoring the intentions stated in this Biodiversity Consideration;
 - Require and monitor the delivery of Biodiversity Net Gain (BNG) as a mandatory requirement of (eligible) new development, which came into force 12th February 2024 and progress of which must form part of the Biodiversity Report.
2. The 25 Year Environment Plan (25YEP) was published in 2018 and signalled the Government's intentions to strengthen the Biodiversity Duty and introduce a mandatory system for the development of Biodiversity Net Gain to ensure that any habitats disturbed, degraded or lost as part of development are enhanced, recreated on-site, off-site, or off-set elsewhere on completion of that development and that this gain is secured for a minimum of 30 years
3. The Environmental Improvement Plan (EIP23), published in January 2023, builds upon the foundation of the 25YEP and sets out government plans for significantly improving the natural environment by working with landowners, communities and businesses towards the joined vision.
4. The Environment Act 2021 received Royal Assent on 9 November 2021 and amended section 40 of the Natural Environment and Rural Communities Act 2006 (duty to conserve biodiversity) so that there is now a general biodiversity objective which is the "*conservation and enhancement of biodiversity*". To comply with the duty Planning authorities must consider what action the authority can take "*to further the general biodiversity objective*".
5. The Planning authorities' considerations, actions and reporting on those actions are required by the Environment Act to be set out in a Biodiversity Report and the legislation and accompanying guidance sets out the timescale and required content

of the report which includes reporting on Biodiversity Net Gain

6. The Government advised that 10% Biodiversity net Gain (BNG) would become mandatory for all major development in November 2023. The November date was the pushed back to January 2024, and finally to 12th February 2024, and only applies to major development with BNG and for most other relevant development coming into force in April 2024.
7. The Tamworth Local Plan 2016-2031 sets out the current policy EN4:-Protecting and Enhancing Biodiversity. This policy requires “no net loss” in areas of Biodiversity Action Plan Habitat but does not specify any acceptable ecological post-development change for other sites. This policy will be updated in line with the new legislation as part of the development of the new local plan, but in the meantime is superseded by the Statutory requirement of at least 10% BNG.
8. The Council has formally recognised the need for urgent action on Biodiversity through a declaration of a Nature Recovery (Full Council in December 2023) and previous Climate Emergency Declaration in 2019.
9. Tamworth Borough Council has for many years identified and designated a wide and extensive range of sites to be protected for their wildlife interest and seeks to ensure their continued protection and enhancement through policies and actions including community involvement in conservation activities.
10. This report is intended to set out what the Council currently does to deliver biodiversity and to set out how the Council will meet the new challenges posed by the Environment Act 2021 in respect of biodiversity, building on or re-drafting its existing policies, partnerships and actions setting out a clear strategy for going forward that will maximise the benefits for biodiversity within the resources and influence.

2. The Biodiversity Report:

1. **The Environment Act 2021** amends section 40 of the **Natural Environment and Rural Communities Act 2006 (NERC Act)**. The original duty was “*so far as is consistent with the proper exercise of [the public authority’s] functions, to the purpose of conserving biodiversity*” and this has been replaced by a more proactive duty (new section 40(1)) to “*from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective*”.
2. Public authorities must also under section 40A of the NERC Act evidence the action it takes by the publication of a **Biodiversity Report** which must also report on the outcomes of mandatory Biodiversity Net Gain.
3. This is a corporate responsibility that goes across all Council departments, actions and decision making. The Government guidance (Reporting your biodiversity duty actions) specifically requires Local Authorities to publish **biodiversity reports**.

4. **The Environment Act 2021**, section 102 to 103 and its associated guidance (Reporting your biodiversity duty actions) stipulates publication and frequency dates; the first Biodiversity Report must be published no later than January 2026, with the next within 3 years and subsequent reports published at a maximum of 5 year intervals after that. Prior to the publication of the first report, all LPAs are required to make a consideration by 1st January 2024 and implement policy and strategy as soon as practicable after making the consideration. The consideration does not need to be published.

5. The Government guidance (Complying with the biodiversity duty) summarises what, under the legislation, public authorities must do.

By law, the report must include:

- a summary of the action taken to comply with the biodiversity duty
 - a plan to comply with the biodiversity duty in the next reporting period
- any other information considered appropriate

6. Reports from local planning authorities must also include:

- actions carried out to meet biodiversity net gain obligations
- details of biodiversity net gains resulting, or expected to result, from biodiversity gain plans approved
- how the LPA plan to meet biodiversity net gain obligations in the next reporting period

7. The report must be published within 12 weeks of the last day of the period being reported on.

8. Guidance on reporting on biodiversity net gain will be published when it is available.

3. **Context of what has to go in the Biodiversity Report** (as mandated by the government)

The report has three compulsory sections which are described in the Government guidance as follows:

“Section 1: Your policies, objectives and actions

You must include this information in your report.

Explain:

- the policies and objectives you have set to meet your biodiversity duty;
- the actions you’ve completed, either alone or in partnership with others, that benefit biodiversity.

Section 2: How you have considered other strategies

You must include this information in your report.

Explain how you’ve taken into account:

- local nature recovery strategies
- protected site strategies
- species conservation strategies

For example, include information about how:

- you’ve advised or worked in a Local Nature Recovery Strategy (LNRS) partnership in your area

- these strategies influenced your policies, objectives or actions

Section 3: Your future actions

You must include this information in your report.

- Explain how your organisation plans to fulfil your biodiversity duty over the 5 years following the end of this reporting period.

In addition, the guidance also refers to the following optional content:

Much of this information may usefully be included and the Council intends that The **Biodiversity Report** will encompass the Council's commitment to Nature's Recovery [via the Nature Recovery Declaration](#), and to creating and reporting on the successes of an Environmental Performance Strategy through a Biodiversity Action Plan. Tamworth Borough Council also hopes that the Biodiversity Report can also be of use in positively communicating to a wider audience the actions that the Council already undertakes to improve biodiversity through its partnership working.

"You can report your plans for future actions in each section of your report alongside the ones you've achieved".

Section 4: Information about your authority

Section 5: Your top achievements

Section 6: How your policies and actions have helped

Section 7: How you've raised awareness and educated the community

Section 8: Monitoring and evaluating your actions

Section 9: Biodiversity highlights and challenges

3. Whilst the first **Biodiversity Report** must be reviewed within three years and subsequent reports every five years, there is a requirement for a report that sets out the Council's **first consideration** of what action to take for biodiversity to be published by **01 January 2024** and *"agree your policies and objectives as soon as possible after this"*. This report is then the Council's **first consideration**.
4. The Guidance on [Reporting your biodiversity duty actions](#) stipulates that the end date of the first reporting period should be no later than 01 January 2026 which means that the first review or reporting period will be less than the 3 years maximum allowable.

4 ■ Draft of the Tamworth Borough Council Consideration Baseline

Section 1: Our policies, objectives and actions

1. **A review of current policies in relation to biodiversity has found that:**
 - The current local plan policy, EN4, is no longer compliant with national policy and needs updating as part of the new local plan development with regards to BNG and requiring development to be in line with local Nature Recovery objectives.
 - When local plan policy relating to biodiversity is updated, it should include clear guidance on BNG, i.e. set out any local priorities and strategies required for developers to take into account in delivering BNG, e.g. locally important habitats, Biodiversity Action Plans, Green Infrastructure strategies and Local Nature Recovery Strategies (LNRS). This will help to target offsite BNG delivery and determine the 'strategic significance' score that is part of the Biodiversity Metric.
 - A locally specific BNG policy should also outline requirements for **management and maintenance** of habitats provided, and set out what is considered "significant" gain in the local context.
 - The current Supplementary Planning Documents (SPD) does not include green building methods that could be used to encourage environmentally and nature friendly development in line with the suggestions in the Natural England [Green Infrastructure Framework](#) (2022) and Building with Nature Standards(www.buildingwithnature.org.uk) in order to work towards an increase to 40% of green cover in urban areas.
 - Wider policies need to be updated to ensure they are in line with the objectives of the Nature Recovery Declaration, particularly the commitment to manage 30% of Tamworth's council-owned green spaces for Nature's Recovery.
2. Steps that we have already taken towards the biodiversity duty:
 - Adopting a local Nature Recovery Declaration.
 - Actively participating in the Local Nature Recovery Strategy working group at SCC.
 - Commissioning Staffordshire Wildlife Trust (SWT) to assess local green space to best guide any enhancement or potential for habitat banking locally, so that future development in Tamworth leaves Tamworth enhanced.
 - Preparing and training the Planning department to be BNG ready.
 - Preparing training for Planning Committee.
 - Preparing training for developers, land owners, and planning agents to drive up the standard of applications and expedite BNG in a timely fashion
 - Developed an Officer working group to work collaboratively on this agenda.

Section 2: How you have considered other strategies

1. The local nature recovery strategy is still in development and so cannot be referred to in order to guide this consideration; instead we have used the previous Staffordshire Biodiversity Action Plan (on advice from SWT), our more locally-focussed Biodiversity Opportunity Mapping from 2019, and the Staffordshire Ecological Record.
2. A Species Conservation Strategy is a new mechanism to safeguard the future of particular species at greatest risk. The strategies will find better ways to comply with existing legal obligations to protect species at risk and to improve their conservation status. It builds on the success of the district level licensing approach for great crested newts.

3. A Protected Site Strategy will seek to achieve a similar purpose in respect of protected sites. The concept of a Protected Site Strategy is broad, and it includes any approach to mitigation or compensation that is wider than the individual project level. They will be particularly helpful where evidence shows sites are being affected by a range of different impacts. There will be a whole variety of solutions that a strategic approach can lead to depending on the factors affecting the site's condition and the local circumstances.
4. Species Conservation and Protected Site Strategies are designed to provide a more strategic approach to the complex challenge of protecting and restoring species and habitats. Both strategies will avoid the need to identify project-specific solutions which can be difficult, time-consuming and costly to implement. The measures will place a new duty on local planning authorities to cooperate with Natural England and other local planning authorities and public bodies in the establishment and operation of the strategies. The strategies will feed into Local Nature Recovery Strategies, support local planning authorities and other public authorities in discharging their duty in respect of biodiversity and developing Local Plans, and complement plans for biodiversity net gain. However, SWT have advised they are not aware of any Species Conservation or Protected Site strategies being prepared in Staffordshire Currently.

Section 3: Future actions

1. Between now and January 2026, Tamworth Borough Council intends to:
 - Complete an audit of policies relevant to the Biodiversity Duty and review these to ensure they are still compliant and relate to our objectives under this new Duty.
 - Complete work looking at potential sites for Nature's Recovery within the council's estate and within the Borough, working towards managing 30% of Tamworth's green spaces for Nature's Recovery.
 - Continue to work towards the objectives of the Nature Recovery Declaration-
 - Consider whether we can create or work in partnership with local wildlife trusts or private companies to create Habitat Banking for off-site BNG
 - Commission an Environmental Performance Strategy / Biodiversity Action Plan from Staffordshire Wildlife Trust
 - Continue to contribute to LNRS working groups
 - Fully implement mandatory BNG of a minimum of 10% to all eligible development
 - Update local policies requiring BNG as part of the new local plan
 - Develop a new design SPD focussing on green building in line with the Natural England Green Infrastructure Framework standards / Building With Nature standards [as part of the new local plan development](#)
 - Raise awareness and educate residents, local businesses, and developers in the area on the contribution to be made by them to Nature's Recovery
 - Create and maintain a list of habit banks where BNG units can be purchased within each of the 3 National Character Areas defined within Tamworth
 - Audit Internal policies to ensure they are Green Infrastructure Framework, Nature Recovery -and Net Zero compliant
 - Commission Internal and external communications to educate staff, members of the public, and local business about simple actions they can take to help support Nature Recovery, support local biodiversity, and raise awareness of our environmental strategy and objectives
 - Offer training on nature recovery to elected members and relevant staff, e.g. land-management team
 - Ensure ecological mapping that was commissioned by the council is well understood internally and taken into account in decision-making across all work areas, such as planning, place-making, green infrastructure, greenspace management.

2. Biodiversity net gain information (for local planning authorities only)

- Tamworth Borough council consider themselves proactive in their response to the need to prepare for BNG, and have, in the short time since the final regulations were published:
 - Tasked a dedicated member of staff to guiding implementation of BNG.
 - Created briefing notes and infographics explaining BNG to internal and external partners.
 - Undertaken internal training of Development Management team members on BNG.
 - Set up a list of Habitat Banks in the area /NCAs of Trent Valley Washlands, Sence and Mease, and Arden in order to support developers in finding, if needed, off-site unit providers.
 - Undertaken a desktop review of Green sites owned by the Council and commissioned Staffordshire Wildlife Trust to assess these sites with a view to creating council-owned habitat banks.
 - Ascertained whether Ecologists at SCC have the capacity to deal with our applications.
 - Prepared to use S106 templates as soon as these are available.

Reporting on Net Gains

- There are currently no Net Gains to report, nor any Gain Plans submitted.

Summary of how we will meet BNG obligations in the next reporting period

- Between the Consideration and the first Report in January 2026 we intend to follow the statutory framework for applying BNG and identify and correct any difficulties with the processes in place. As Tamworth is a small and densely developed Borough, it is not anticipated that there will be many major applications going forwards.
- Defra will provide a suggested format for tabulating any quantitative data on biodiversity net gains which we will consider when collating and publishing such data.

Optional information

Section 4: Information about your authority

1. Tamworth Borough Council is the democratically elected authority for Tamworth. It has statutory responsibility for the provision of services such as housing, benefits, council tax, planning, waste, street cleaning, environmental health and the collection of business rates.
2. Tamworth itself is a small market town which was once the historic capital of Mercia and has significant Saxon and medieval history, including an intact motte and bailey Castle. The town borders [North Warwickshire](#) to the east and north, [Lichfield](#) to the north, south-west and west. The town takes its name from the [River Tame, West Midlands](#) which flows through it. The population of Tamworth is 78,800. The population per square mile of Tamworth is 6,616.

3. Governance

Tamworth Borough Council has 30 councillors, with three councillors serving each of the 10 electoral divisions, or wards, of the town. Councillors represent their communities for four years. We elect a third of the council (10 seats) every three out of four years. In the fourth year, there are no borough council elections.

Full council: All councillors meet together regularly as the 'council' or 'full council'. This is where the council's overall policies and budgets are set each year.

Cabinet: Also referred to as 'the executive', cabinet is responsible for most day-to-day decisions. This is made up of the leader of the council and up to nine of their chosen councillor representatives.

Regulatory committees: The planning, licensing and licensing sub-committees make regulatory decisions on planning and licensing matters.

Scrutiny committees: There are three main scrutiny committees which hold the executive to account and support the work and performance of the council as a whole. They monitor decisions and make recommendations. There is also a joint scrutiny

committee which meets annually to consider the budget.

Audit and governance committee: This has oversight of internal and external audit work and is responsible for monitoring the effectiveness of the council's risk management arrangements and policies for fraud, whistle-blowing and complaints handling.

The council is in a period of rapid change following the appointment of Stephen Gabriel as Chief Executive in April 2024.

How our authority can affect biodiversity:

- Tamworth is a largely urban landscape and densely developed.
- There is significant wetland habitat along the flood plains of the Tame and Anker and protecting the town from flood damage is also a priority.
- Tamworth has 13 wildlife sites within the borough, seven of which are designated as Local Nature Reserves (LNRs): Broad Meadow (LNR & SBI), Dosthill Park (LNR), Hodge Lane (LNR), Kettlebrook (LNR), Tameside (LNR), Town Wall (LNR) Warwickshire Moore (LNR), Wigginton Park, Egg Meadow, Borrowpit Lakes, Burgess Nature Park, Middleton Lakes (RSPB Reserve) and the Coventry Canal.
- There is a potential for recent development within Tamworth to adversely affect the neighbouring Alvcote Pools SSSI and this needs to be managed appropriately.
- Tamworth has a number of waterways running through it (River Tame, River Anker, Kettle Brook, Coventry Canal, Fazeley and Birmingham Canal) which need to be restored and/or maintained at a 'good' standard.
- A comprehensive desktop review of open space owned by the Council has been undertaken and we are working in partnership with Staffordshire Wildlife Trust to ascertain if any of these sites can be enhanced for Nature's Recovery.
- Current policies protect these sites from development except under exceptional circumstances.
- Our Planning Department offer a "pre application advice" service for developers wishing to seek support around proposed developments in terms of the likelihood of approval or improvement of the scheme in line with local policies; this will include BNG advice.
- We invited local planning agents to our recent BNG training to ensure the shared responsibilities around this are understood.
- We are proposing to develop ways of raising awareness of ways that residents and local businesses can support our aims to halt the decline in nature and create the right conditions for its recovery.

How your operations affect the environment

- Our petrol vehicle fleet is contributing to air pollution, and we are looking into replacing some of our fleet with electric vehicles. Six EV vehicles have recently been procured for the depot.
- Our joint waste service is working to collect all waste but there will be some that is not accounted for which is damaging to nature, such as plastic waste that is not biodegradable and can be hazardous for wildlife. We are zero waste to landfill, but could run more anti littering campaigns. Working with our Joint Waste Partners at Lichfield District Council, TBC will support the promotion of recycling campaigns.
- Lighting, heating and operating all council owned buildings emits carbon, which is causing further global warming, altering species habitats and ecosystems. We are developing a climate action plan to implement energy efficiency carbon reduction initiatives.

We can consider the following to protect and enhance biodiversity:

- Green Infrastructure can deliver essential ecological services and help conserve biodiversity by creating and connecting important habitats. It should be incorporated and enhanced within land development, growth management and built infrastructure planning.

- The grounds of many cemeteries can be sympathetically managed to benefit a wide range of biodiversity.
- We can manage Local Nature Reserves (LNRs) for the benefit of both wildlife and people.
- Parks and public open spaces offer excellent opportunities for biodiversity conservation and enhancement. Management operations must take account of protected species, such as great crested newts, in ponds.
- Walking and cycling routes (such as disused railway lines) offer excellent opportunities for biodiversity conservation and enhancement. Historic buildings such as Tamworth Castle can provide a home for important biodiversity, such as breeding birds and bats.
- Bridges and structures often contain bats and breeding birds, and maintenance works to these must have regard for such species. The timing and/or method of works must take account of their presence.
- Highway verges can be managed to protect and enhance a wide variety of wildlife – including many rare and protected species.
- Landscaping schemes associated with any council project offer opportunities to create new habitats and features of value for local wildlife.
- Making decisions about procurement should have regard for the biodiversity implications. For instance, using wood products for fencing and gates from sustainable sources and using peat-free compost.
- Management of trees and hedgerows must have regard for the nesting season and breeding birds.
- Careful consideration needs to be given to the indirect effect of light pollution and its impact on nocturnal species such as bats.
- Council buildings present opportunities for biodiversity enhancements – for instance installing bird and bat boxes, green roofs and walls and management of grounds and open space.

Section 5: Your top achievements

As this is a consideration, we have not yet made the changes that will lead to achievements.

Section 6: How your policies and actions have helped

Sections 6 and 7 pertain to issues that are currently objectives of the council. We are not yet within the monitoring cycle (as BNG has not commenced). We will report qualitative and quantitative data in the report of January 2026.

Section 7: How you've raised awareness and educated the community

Sections 6 and 7 pertain to issues that are currently objectives of the council. We are not yet within the monitoring cycle (as BNG has not commenced). We will report qualitative and quantitative data in the report of January 2026.

Section 8: Monitoring and evaluating your actions

The authority will develop monitoring and evaluation actions within the Environment Performance Strategy/Biodiversity Action Plan which will be commissioned following this consideration.

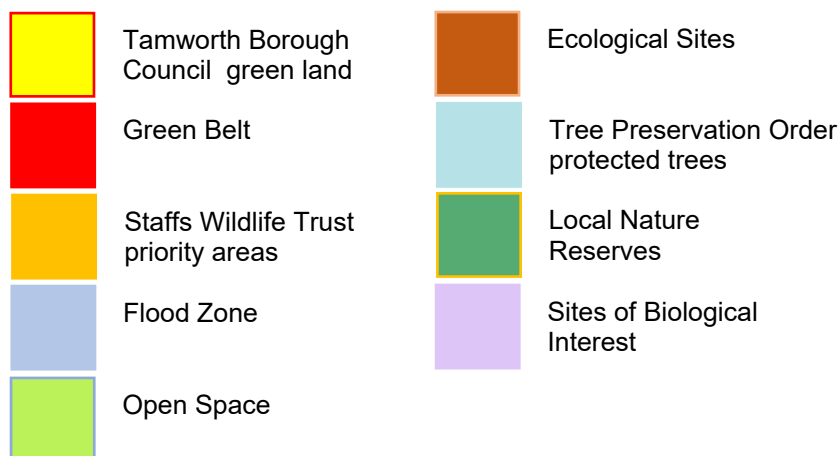
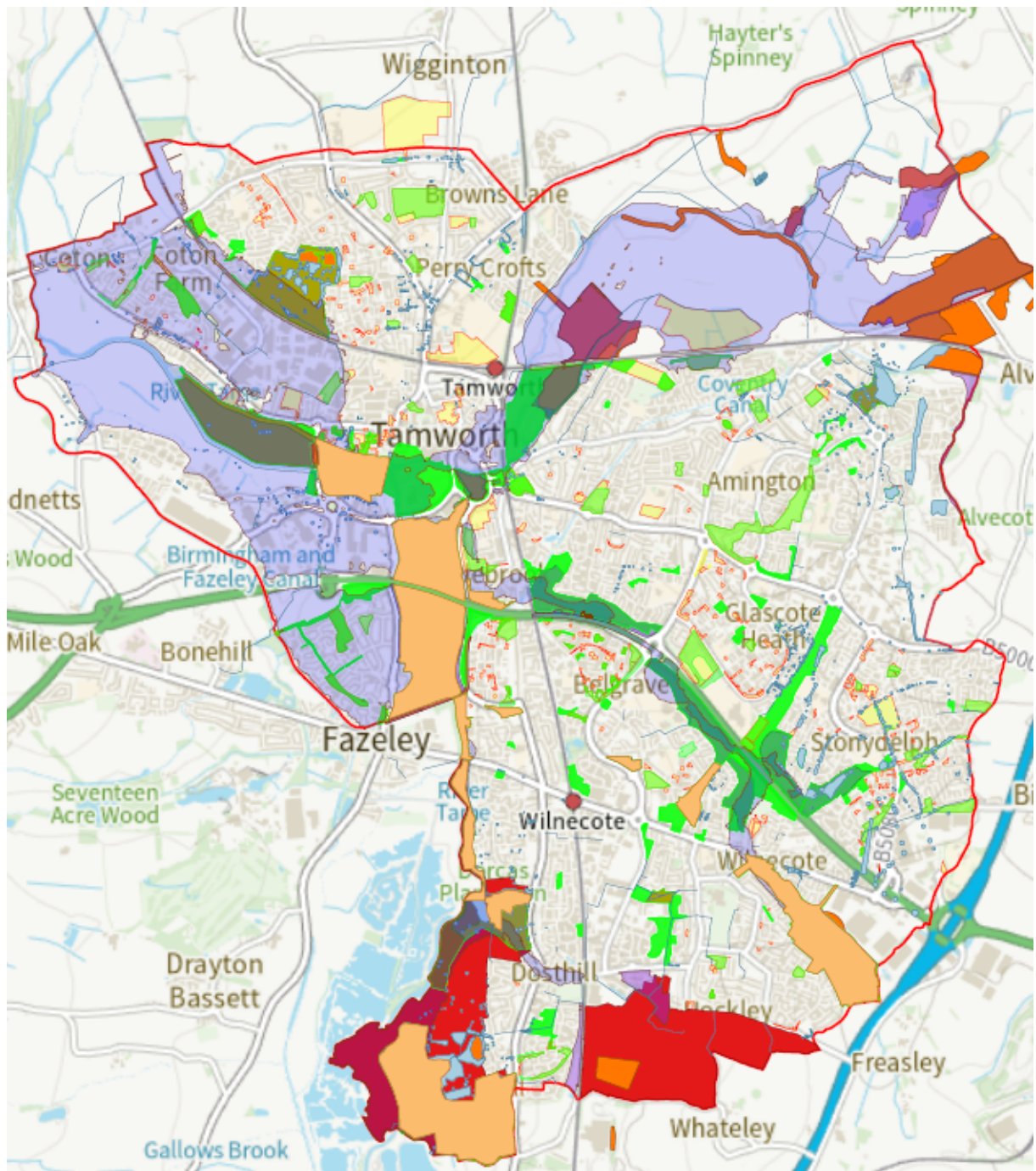
Section 9: Biodiversity highlights and challenges

For a number of years Staffordshire wildlife Trust have delivered the Wild About Tamworth project has delivered some benefits to wildlife already. Working to support friends of groups within Tamworth these dedicated volunteers support the enhancement of nature and biodiversity through their work. [Wild About Tamworth | Staffordshire Wildlife Trust \(staffs-wildlife.org.uk\)](https://www.staffs-wildlife.org.uk)

Appendix 2 Habitat type and BNG Unit Value

Habitat Type	Units /ha
 <p>Developed Land Sealed Surface – Buildings, hardstanding, tarmac/concrete</p> <p>Very Low Distinctiveness</p>	<p>0 Units</p> <p>No compensation needed</p>
 <p>Vacant/Derelict/bareground -</p> <p>Low Distinctiveness</p>	<p>3 Units</p> <p>Suggested that it is replaced with Same distinctiveness or better</p>
 <p>Open Mosaic Habitat on previously developed Land</p> <p>Medium distinctiveness – see following description</p>	<p>12 Units</p> <p>Suggested that same habitat required to compensate</p>
Habitat Type	Units /ha
 <p>Lowland Meadow Very High distinctiveness, good condition, ecologically desirable location</p>	<p>>24 Units</p> <p>Any Loss Unacceptable – Bespoke scheme needed</p>
 <p>Lowland Mixed deciduous Woodland, high distinctiveness, good condition, ecologically desirable location</p>	<p>19.80 Units</p>
 <p>Improved grassland low distinctiveness, poor condition, not in a strategic location</p> <p>Nb. Same as arable</p>	<p>2 Units</p>

Appendix 3: Tamworth Nature Recovery Map



Appendix 4: Biodiversity Duty responsibilities

Biodiversity Duty responsibilities https://www.gov.uk/guidance/complying-with-the-biodiversity-duty		Nature Recovery Declaration aim(s)	Responsible Directorate(s)
Consider relevant strategies	<p>You must check if these strategies will affect how your organisation complies with the biodiversity duty:</p> <ul style="list-style-type: none"> • local nature recovery strategies • species conservation strategies • protected site strategies <p>You must:</p> <ul style="list-style-type: none"> • understand how/if they are relevant to your organisation • be aware of how these strategies affect land that you own or manage, or actions you could take to conserve and enhance biodiversity • consider how you could contribute to the strategy, where appropriate 		<p>Environment, Culture and Wellbeing</p> <p>Growth and Regeneration (planning policy)</p>
How your biodiversity duty helps achieve biodiversity goals and targets	<p>Contribute to the achievement of national goals and targets on biodiversity in the Environmental Improvement Plan (EIP23):</p> <p>Consider the value of taking a Natural Capital approach.</p> <p>Consider the biodiversity duty when complying with requirements under:</p> <ul style="list-style-type: none"> • strategic environmental assessment • environmental impact assessment • Habitats Regulations assessment 	1, 2, 3, 4	<p>Environment, Culture and Wellbeing</p> <p>Growth and Regeneration (planning policy)</p>
Manage land to improve biodiversity	<p>Consider how the land you manage could improve biodiversity. This includes green and blue spaces like:</p> <ul style="list-style-type: none"> • allotments • cemeteries • parks and sports fields • amenity spaces and communal gardens 	1, 2, 3, 4, 5, 6, 7, 8, 9, 10	Environment, Culture and Wellbeing

	<ul style="list-style-type: none"> • roadside and railway verges • field margins and hedgerows • rights of way and access routes • woodlands and nature reserves • canals and rivers • water-dependent habitats • estuaries and coastal habitats 		
	<p>Consider other things you can do to improve habitats, including:</p> <ul style="list-style-type: none"> • using native and sustainably sourced trees when planting • creating dedicated spaces for wildlife • leaving dead wood safely in place in woodlands to provide additional habitat • maintaining planted trees to give them the best chance of survival • reducing the use of herbicides, pesticides, peat and water • implementing measures to prevent the spread of invasive species and plant disease <p>These actions can save money while delivering benefits to biodiversity. If you own or manage large areas of land, consider promoting and encouraging nature-based solutions, restoration of natural processes and landscape recovery. Natural England has published the Green Infrastructure Framework - Principles and Standards for England. This includes planning, design and process guides.</p>	1, 2, 3, 5, 6, 8,	Environment, Culture and Wellbeing
Make space for wildlife	<p>You could create dedicated spaces to attract wildlife and enhance biodiversity. This is possible even if your public authority owns a single office building. It is important that these measures are appropriate to the location.</p> <p>You could:</p> <ul style="list-style-type: none"> • build and install nest boxes for birds, bats and other animals • add green walls or roofs to existing or new buildings • plant native trees and shrubs • plant wildflowers for pollinators <p>You can do more if you own or manage specific types of land. For example, if you own or manage:</p>	5, 7, 10, 11	Environment, Culture and Wellbeing Growth and Regeneration (planning policy)

	<ul style="list-style-type: none"> • school grounds – create gardens, ponds, meadows or woodlands to improve biodiversity and aid education • farmland – be aware of soil health, water use and waste management and encourage farmers to apply for agri-environment schemes and use pesticides appropriately. 		
Enhance protected sites	<p>Sites that public authorities own or manage can be protected by other legislation. For example:</p> <ul style="list-style-type: none"> • sites of special scientific interest • special areas of conservation or special protection areas • national nature reserves • local nature reserves and local sites <p>You should already be helping to conserve and enhance biodiversity on this land. For example, public bodies already have a duty to take all reasonable steps to conserve and enhance sites of special scientific interest.</p> <p>The Environmental Improvement Plan set the expectation that all public authorities should ensure they have management plans in place by the end of 2023 to support their sites to reach favourable status.</p> <p>Authorities should produce those plans and work actively with Natural England and others to identify and implement the actions needed to improve site condition.</p>	1, 5, 6	<p>Environment, Culture and Wellbeing</p> <p>Growth and regeneration (Planning policy - BNG/ habitat banking project)</p>
Improve how you manage buildings	<p>Review how you manage buildings and the land around them. This could include considering:</p> <ul style="list-style-type: none"> • whether you should remove vegetation around your buildings and if you do, when to do it • what chemicals you use on the premises • when you carry out maintenance work, to minimise disturbance to wildlife • whether you can reduce the use of energy and water to help reduce pollution and address the pressure it puts on wildlife 	3,4, 10	<p>Environment, Culture and Wellbeing</p> <p>Growth and regeneration (climate change)</p>
Educate, advise and	<p>You can help the public understand biodiversity and why it's important to conserve and enhance it. This can encourage land managers, businesses and the general public to take action to benefit biodiversity too.</p>	3, 12,13	Environment, Culture and Wellbeing

raise awareness	<p>For your policies, objectives and actions, you could:</p> <ul style="list-style-type: none"> • include the public in projects to improve biodiversity • feature biodiversity in public or internal communications • use libraries and museums to raise awareness of biodiversity • put information boards in green spaces or offer guided walks • include biodiversity considerations in advice for internal and external clients and service users • educate your staff on your biodiversity actions and why they're important • raise public awareness of how their gardens can support biodiversity, for example by avoiding artificial grass 		Growth and regeneration
Review internal policies and processes	<p>All public authorities have internal policies and processes for staff and facilities that could affect biodiversity. Changes to internal policies and processes that can affect biodiversity are another way you can meet your duty. Policies you could review include:</p> <ul style="list-style-type: none"> • transport – support sustainable travel to reduce carbon emissions and improve air quality • waste – review waste management and recycling processes to reduce <ul style="list-style-type: none"> water pollution and air pollution from waste transport and landfill • water – improve water efficiency to reduce the effect water abstraction can have on sensitive habitats and species • procurement – buy sustainable materials and supplies to reduce the demand on natural resources • light – make sure the design of artificial lighting minimises effects on nature 	2, 3	All directorates
Prepare for biodiversity net gain	<p>Biodiversity net gain (BNG) is an approach to development or land management that aims to leave the natural environment in a measurably better state than it was beforehand. If your public authority does not have a biodiversity net gain policy in the local plan, you could consider preparing one. Future development projects (apart from exempt developments) will need to achieve a 10% biodiversity net gain. This is expected to be required from:</p>	4	Growth and Regeneration (planning - development management)

	<ul style="list-style-type: none"> • November 2023 for Town and Country Planning Act 1990 (TCPA) projects not falling under the small sites definition [footnote 1] • April 2024 for TCPA small sites • the end of 2025 for Planning Act 2008 (Nationally Significant Infrastructure Projects) <p>Local planning authorities will need to report what is done for biodiversity net gain on and off development sites.</p> <p>Local planning authorities should consider areas that are appropriate for biodiversity net gain. Consider how existing planning advice and strategies can protect and enhance biodiversity.</p> <p>The developer is responsible for selecting the competent person for completing the small sites metric (SSM). The competent person does not need to be an ecologist for the SSM. The local planning authority does not need to verify the competent person.</p> <p>Find out about biodiversity net gain and how it affects you.</p>		
<p>Get help with your actions</p>	<p>You can get help from experts when considering what actions you can take. For example, you could:</p> <ul style="list-style-type: none"> • commission a survey or audit to help assess your property and its potential to improve biodiversity • consult your local nature recovery strategy to find out what actions would benefit your area – preparation of these will begin in 2023 • check existing data about wildlife and habitats in the area • speak to Natural England, Environment Agency, Forestry Commission, local wildlife trusts or consultant ecologists <p>You can get existing local data from Local Environmental Record Centres. If you commission research, you can share that data with them. To help you understand habitats and species in your area, you can use the national Magic Map.</p> <p>Getting expert advice can help you understand how you can make a difference for biodiversity and avoid unintended outcomes.</p> <p>You may need to get expert environmental advice on planning before preparing plans or considering development proposals.</p>	<p>Not directly mentioned in Nature Recovery Declaration.</p> <p>However we are working with:</p> <p>Local Nature Recovery Strategy team at Staffs</p> <p>SWT / Wild About Tamworth /</p>	<p>Environment, Culture and Wellbeing</p> <p>Growth and Regeneration (Planning policy)</p>

	Environmental assessment regulations require monitoring of the effects of development plans and projects. You could use the results of this monitoring as a source of environmental data.	Staffs Eco Record Environment Agency (re watercourses) Canal and River Trust	
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Community Impact Assessment

Appendix 5 Community Impact Assessment.

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Nature Recovery and Biodiversity Consideration	
Date Conducted	5/7/24	
Name of Lead Officer and Service Area	Assistant Director Environment, Culture and Wellbeing	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Executive Director Organisation	
Who are the main stakeholders	Environment, Culture and Wellbeing Regeneration and Growth Staffordshire Wildlife Trust	
Describe what consultation has been undertaken. Who was involved and what was the outcome	As above	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	Staffordshire wildlife trust are supporting the authority on the biodiversity net gain work.	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input type="checkbox"/> Yes
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/> Yes
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>

	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>
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Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.
Biodiversity Consideration

Who will be affected and how?

By providing people with access to quality green and blue spaces it can positively impact on individuals sense of wellbeing and connection with nature.

Are there any other functions, policies or services linked to this impact assessment?

Yes

No

If you answered 'Yes', please indicate what they are?

Nature Declaration

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We may have some nature reserves where it is not reasonably practicable for all nature spaces to be accessible. Also it should be noted that there maybe areas identified in the borough moving forward that will have no access to support the enhancement of their biodiversity value.
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with caring/dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those having an offending past	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with drug or alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with mental health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with physical health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Social inclusion Please include refugees and asylum seekers,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Health and Wellbeing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Nature connectedness is well-known to potentially improve an individuals sense of wellbeing and improve mental wellbeing.
Climate Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The work around BNG can positively impact on climate change.

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which may lead to a reduced standard of living & subsequent health issues</i>	<i>Signposting to other services. Look to external funding opportunities.</i>
Disability	It is not reasonably practicable for all nature spaces to be accessible	In the future the authority will look at creating information for the numerous accessible green and open spaces in the borough.

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	Outcomes and Actions entered onto Pentana			

Date of Review (If applicable)

Guidance and form updated July 2023 following CMT approval.