

DRAFT RESPONSE TO THE BIODIVERSITY DUTY

October 2023

Introduction - Statutory Duty

Under the 2021 Environment Act, public authorities (including town and parish councils) who operate in England must consider what they can do to conserve and enhance biodiversity in England.

Government guidance published on 17th May 2023 clarifies that, as a public authority, town and parish councils must:

- Consider what they can do to conserve and enhance biodiversity.
- Agree policies and specific objectives based on their consideration.
- Act to deliver their policies and achieve their objectives.

Town and parish councils, unlike other authorities, are not obliged to publish a report on their actions, but the Government guidance requires all public authorities to complete their first consideration of what action to take for biodiversity by 1 January 2024. They must agree their policies and objectives as soon as possible after this and may reconsider the selected actions within 5 years of completing their previous consideration, or more frequently if they choose.

To comply with the guidance, town and parish councils could as a minimum:

- Have biodiversity as an agenda item for a meeting before the end of 2023.
- Note what action in respect of biodiversity is already taking place locally.
- Agree what further steps to take at this stage.

Such steps may include:

- Reviewing what biodiversity or nature recovery plans are already in place from other local authorities.
- Making contact with local voluntary groups working on nature conservation.
- Carrying out a biodiversity audit of council landholdings and/or the whole council area
- Gathering expert advice on possible actions in support of biodiversity.
- Drafting an action plan that covers action that the council will take itself as well as support for the actions of other local bodies.

Whatever action is agreed, as a minimum local councils could ensure they address biodiversity concerns when commenting on planning applications.

All these steps may inform an agreed biodiversity policy for which a model example is attached.

Guidance for town and parish councils on developing a [local nature action plan](#) has been published by South Gloucestershire Council, as well as a [field guide](#) for those with little or no ecological background.