

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 24 MARCH 2026



Title of Report	BIODIVERSITY DUTY REPORT	
Presented by	Cllr Michael Wyatt Community and Climate Change Portfolio Holder PH Briefed <input type="checkbox" value="Y"/>	
Background Papers	None	Public Report: Yes
		Key Decision: Yes
Financial Implications	There are no direct financial implications of the Biodiversity Duty Report as it sets out existing policies, objectives, partnerships and actions and a summary of proposed future actions. Future actions that would contribute to the Council complying with the biodiversity duty would need to have appropriate funding in place that has been agreed under the Council's established governance and decision-making processes.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Biodiversity Duty Report sets out how the Council has met the requirement set out in the Environment Act 2021 and the Natural Environment and Rural Communities Act 2006 (as amended) to report on how it has complied with the biodiversity duty and plans to do so in the future.	
	All future actions undertaken to comply with the biodiversity duty must comply with the Council's established governance and decision-making processes. Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	The Biodiversity Duty Report sets out existing policies, objectives, partnerships and actions and a summary of future actions. It is not expected that future actions to comply with the biodiversity duty would result in significant staffing implications.	
	The Council has already demonstrated its commitment to conserving and enhancing biodiversity which is reflected in the Council Delivery Plan 2023-2028 Signed off by the Head of Paid Service: Yes	
Purpose of Report	To present the Council's Biodiversity Duty Report.	

Reason for Decision	To approve the Council's Biodiversity Duty Report as required by the Constitution.
Recommendations	<p>THAT CABINET:</p> <ol style="list-style-type: none"> 1. CONSIDERS ANY COMMENTS AND RECOMMENDATIONS MADE BY THE CORPORATE SCRUTINY COMMITTEE AT ITS MEETING ON 19 MARCH 2026 2. APPROVES THE BIODIVERSITY DUTY REPORT 3. DELEGATES AUTHORITY TO THE STRATEGIC DIRECTOR OF HOUSING AND COMMUNITIES TO MAKE ANY MINOR AMENDMENTS TO THE REPORT PRIOR TO FINAL SUBMISSION.

1.0 BACKGROUND

- 1.1 The Council has a statutory duty to conserve and enhance biodiversity (habitats and species) under the Environment Act 2021 and the amended Natural Environment and Rural Communities Act 2006 (as amended) (NERC Act). This is known as 'the biodiversity duty'.
- 1.2 A key effect of the Environment Act 2021 was to amend section 40 of the NERC Act from a duty to "conserve" to a requirement to both 'conserve' and 'enhance', so as to aim to provide for the enhancement or improvement of biodiversity, not just maintenance in its current state.
- 1.3 This means that, as a public authority, North West Leicestershire District Council must:
- Consider what it can do to conserve and enhance biodiversity
 - Agree policies and specific objectives based on its consideration of the biodiversity duty
 - Act to deliver Council policies and objectives
- 1.4 The Council has a responsibility to report how it is achieving the biodiversity duty under Section 40A of the NERC Act, which was inserted by the Environment Act 2021.
- 1.5 All local authorities must publish a Biodiversity Duty Report setting out how they have complied with the biodiversity duty during a first reporting period, and how they plan to do so in the next reporting period.
- 1.6 Reports from local planning authorities must also include the following biodiversity net gain (BNG) information:
- The actions carried out to meet BNG obligations
 - Details of BNG resulting, or expected to result, from approved biodiversity gain plans
 - How BNG obligations are planned to be met in the next reporting period
- 1.7 The end date of the first reporting period should be no later than 1 January 2026, and the report must be published within 12 weeks of the period's end.

1.8 Authorities must then publish an updated report within five years of the end date of the previous reporting period.

2.0 BIODIVERSITY DUTY REPORT

2.1 The Council's first reporting period covers 1 January 2024 to 31 December 2025. As the report has to be published within 12 weeks the end of this reporting period, the latest date by which the report must be published is 25 March 2026. The end date of the Council's next reporting period must be within five years of 31 December 2025.

2.2 The Biodiversity Duty Report sets out how the Council has approached protecting biodiversity in the first reporting period and demonstrates that the Council has policies and objectives in place, and has undertaken actions and achievements, to meet the duty. The Biodiversity Duty Report also sets out how the Council intends to meet its biodiversity duty during the next reporting period. A copy of the report is attached at Appendix 1.

2.3 It is expected that implementation of the Council's future actions over the next reporting period will help deliver an increase in and improvements to biodiversity throughout the District in a variety of different ways.

2.4 Future actions will be developed and implemented across all Council departments.

3.0 CORPORATE SCRUTINY COMMENTS

3.1 Any comments and/or recommendations from Corporate Scrutiny Committee will be reported verbally at the Cabinet meeting.

4.0 CALL IN DECISION

4.1 The approval of the Chair of the Council has been given to the exemption of the Council's Scrutiny Procedure rules in relation to the call-in of the decision on this item, since any call-in would prejudice the ability of the Council to publish its Biodiversity Duty Report by the statutory deadline of 25 March 2026. The Chair has considered the timetable for confirmation and agrees that the matter before Cabinet is urgent for this reason.

Policies and other considerations, as appropriate	
Council Priorities:	Clean, green and Zero Carbon
Policy Considerations:	It will need to be considered how future Council policies conserve and enhance biodiversity.
Safeguarding:	N/A
Equalities/Diversity:	An equality impact assessment has been carried out for policies and projects already in place and will need to be carried out as part of each future action as appropriate.

Customer Impact:	Improved biodiversity across the District can support health, wellbeing, and community cohesion, for example by improving green spaces and providing access to nature and improving air quality.
Economic and Social Impact:	It will be a key aspect of each future action to assess the economic and social impacts of conserving and enhancing biodiversity and the wider benefits.
Environment, Climate Change and Zero Carbon:	The Biodiversity Duty Report reinforces the Council's commitment to conserving and enhancing biodiversity and supports the Council's climate emergency commitments under its Zero Carbon Roadmap and Action Plan.
Consultation/Community/Tenant Engagement:	Internal engagement
Risks:	<p>The Biodiversity Duty Report is required to meet the Council's statutory duty, under the Environment Act 2021 and the Natural Environment and Rural Communities Act 2006 (as amended), to report on actions taken to conserve and enhance biodiversity. Failure to do would be a breach of the Council's statutory obligations.</p> <p>It is considered that the Biodiversity Duty Report demonstrates how the Council is meeting its duty for conserving and enhancing biodiversity.</p>
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