

Biodiversity Duty Report 2022-2025

Executive Summary	<p>This is the Council's first Biodiversity Duty report, which relates to the statutory duty first introduced by Section 40 of the Natural Environment and Rural Communities (NERC) Act in 2006, that was further strengthened by the Environment Act 2021 (Sections 102 and 103).</p> <p>The duty requires all public authorities in England to actively conserve and enhance biodiversity when exercising their functions and, legally requires them to publish a Biodiversity Duty report to provide the specific information to evidence how the duty has been met.</p> <p>As North Norfolk District Council's first consideration of the Biodiversity Duty, the report covers the following required matters:</p> <ul style="list-style-type: none">• Section 1 sets out the Council's approach to conserving and enhancing biodiversity within the reporting period, January 2022 – December 2025 in relation to its strategies, policies, objectives, and actions for biodiversity.• Section 2 reflects on the projects and actions that will continue to deliver direct and indirect biodiversity enhancements during the next three-year reporting period, January 2026 – December 2028.• Section 3 details the Council's actions to meet biodiversity net gain obligations. These include evidence of the biodiversity net gains resulting from biodiversity gain plans that have been approved between February 2024 - December 2025.• Section 4 considers the monitoring tools that have and will continue to be utilised in order to track and report on the Council's relevant priorities, strategies and policies for the next reporting period (2026-2028). <p>To meet the statutory requirements, the Council's Biodiversity Duty report must be published within 12 weeks of the reporting period's end. With a reporting period ending 31 December 2025, the Council's publication deadline is 25 March 2026.</p> <p>Appendix A – The Biodiversity Duty Report (2022-2025)</p>
Options considered	As a legal requirement, no other options have been considered.
Consultation(s)	The Biodiversity Duty report has been informed by internal consultation with a number of different services within the Council that contribute directly and indirectly to conserve and enhance biodiversity.
Recommendations	That Cabinet:

	<ol style="list-style-type: none"> 1) Endorse the publication of the Biodiversity Duty report by no later than 25 March 2026 in order to comply with the statutory requirements of the Environment Act 2021. 2) Agree the subsequent reporting period for the next Biodiversity Duty report to be from 1 January 2026 – 31 December 2028. 3) Delegates authority to the Assistant Director for Planning to make any further necessary amendments, as required.
Reasons for recommendations	A legal requirement for public authorities to publish their first Biodiversity Duty Report by no later than 26 March 2026.
Background papers	NNDP Corporate Plan (2023 to 2027) Environmental Charter (November 2025) Decarbonisation Strategy (2025 – 2028) Decarbonisation Action Plan (June 25 – March 27) North Norfolk Local Plan 2024 – 2040 (December 2025)

Wards affected	All
Cabinet member(s)	Cllr Andrew Brown
Contact Officer	Ben Jervis, Senior Landscape Officer Ben.jervis@north-norfolk.gov.uk Caroline Dodden, Senior Planning Officer Caroline.dodden@north-norfolk.gov.uk

Links to key documents:	
Corporate Plan:	Priority 1: Our Greener Future - continue to work to create a cleaner, green and zero-carbon future for Norfolk.
Medium Term Financial Strategy (MTFS)	N/A
Council Policies & Strategies	The Biodiversity Duty report draws on the priorities and policies in the following strategies and plans: Environmental Charter (November 2025) Decarbonisation Strategy (2025 – 2028) Decarbonisation Action Plan (June 25 – March 27) North Norfolk Local Plan 2024 – 2040 (December 2025)

Corporate Governance:	
Is this a key decision	No

Has the public interest test been applied	No
Details of any previous decision(s) on this matter	None

1. Purpose of the report

- 1.1 The purpose of this report is to present Members with the Council's first Biodiversity Duty report (Appendix A), which contains the required biodiversity information and evidence to ensure the Council meets its statutory duty to publish the report by no later than 25 March 2026.

2. Introduction & Background

- 2.1 The production of the Biodiversity Duty report is a statutory requirement first introduced by Section 40 of the Natural Environment and Rural Communities (NERC) Act in 2006 and further strengthened by the Environment Act 2021 (Sections 102 and 103). The report serves as an accountability tool to monitor progress toward environmental targets, documents actions taken, and facilitates the sharing of best practices.
- 2.2 The duty requires all public authorities in England to actively conserve and enhance biodiversity when exercising their functions and legally requires them to publish a Biodiversity Duty report to provide specific information as follows, to evidence how the duty has been met:
- A summary of the actions taken to comply with the biodiversity duty during the first reporting period.
 - How the authority plans to comply with the biodiversity duty in the next reporting period.
 - The actions the authority has carried out to meet Biodiversity Net Gain (BNG).
 - Details of BNG resulting, or expected to result, from approved biodiversity gain plans.
 - How the authority plans to meet BNG obligations in the next reporting period.
 - Any other information considered appropriate.
- 2.3 The Biodiversity Duty report has been informed by internal consultation with a number of different services within the Council that contribute directly and indirectly to conserve and enhance biodiversity. Although many corporate projects and actions have been included, there is the potential for further information to be introduced and as such, permission is also sought to update the submission with minor additions
- 2.4 To meet the statutory requirements, the Council's Biodiversity Duty report must be published within 12 weeks of the reporting period's end. Therefore, with a reporting period ending 31 December 2025, the Council's publication deadline for the report is 25 March 2026.

3. Proposals and Options

3.1 As the Council's first consideration of the statutory Biodiversity Duty, the report covers the following elements, where Sections 1 – 3 are legally required:

- Section 1 sets out the Council's approach to conserving and enhancing biodiversity within the reporting period, January 2022 – December 2025 by detailing its strategies, policies, objectives, and actions for biodiversity.
- Section 2 reflects on the potential for projects and actions that will continue to deliver direct and indirect biodiversity enhancements during the next three-year reporting period, January 2026 – December 2028.
- Section 3 details the Council's actions to meet the biodiversity net gain obligations. These include evidence of the biodiversity net gains resulting from biodiversity gain plans that have been approved between February 2024 - December 2025.
- Section 4 considers the monitoring tools that have been, and will continue to be, utilised to track and report on the Council's relevant priorities, strategies and policies regarding the conservation and enhancement of biodiversity.

4. Corporate Priorities

4.1 The protection and enhancement of biodiversity continue to be a key priority within the Councils Corporate Plan. Where Priority 1: Our Greener Future includes the objectives of:

- Protecting and enhancing the special landscape and ecological value of North Norfolk whilst improving the biodiversity of the district.
- Strengthening the ability for local communities to deliver on local environmental ambitions and priorities.
- Continuing to pursue government and external funding for new green initiatives.
- Identifying solutions to nutrient neutrality that will enable key watercourses to remain healthy ecosystems, whilst ensuring necessary development can take place.

5. Financial and Resource Implications

5.1 The financial implications arising from the production of the Biodiversity Duty report have been met through existing resources.

Comments from the S151 Officer:

This is a statutory report that in itself does not have any financial impacts.

6. Legal Implications

- 6.1 The publication of a Biodiversity Duty report is a new statutory duty that was fully established by the Environment Act 2021 (Sections 102 and 103).
- 6.2 The duty requires all public authorities in England to actively conserve and enhance biodiversity when exercising their functions and legally requires them to publish a Biodiversity Duty report to provide specific information as detailed in paragraph 2.2, to evidence how the duty has been met. The latest reporting period for a local authorities first Biodiversity Duty report is the 1 January 2026.
- 6.3 The duty requires that the end date of each reporting period for the Biodiversity Duty must be within a maximum of five years of the end date of the previous reporting period, with the publication of the subsequent report being within 12 weeks of the reporting period end date. The report must include the start and end dates of the reporting period.

Comments from the Monitoring Officer

The Monitoring Officer (or member of the Legal team on behalf of the MO) will complete this section. They will outline any legal advice provided.

As set out in the report, there is an obligation under the legislation for the council to actively conserve and enhance biodiversity when exercising its functions and to publish a relevant biodiversity report.

7. Risks

- 7.1 It is considered that the risks of taking the decision to publish the Biodiversity Duty report are low, and that the risks of not publishing within the specified time period far out way any disbenefits. The risks of non-compliance are as follows:
 - While there may be no immediate financial penalties, failing to publish the Biodiversity Duty report would be in contravention of the Environment Act 2021. The Council could be subject to legal challenges from individuals, groups, or statutory bodies regarding their compliance.
 - Without a report, the Council cannot prove it has met its legal obligation to "conserve and enhance" biodiversity.
 - The report ensures integration with the Norfolk LNRS, Species Conservation Strategies, Protected Site Strategies and BNG obligations. Failing to report could mean that these strategies are not being effectively implemented.
 - The lack of a report would mean the Council does not have a proper baseline for measuring progress, which may hinder future development, particularly in relation to the 10% mandatory BNG.

8. Net Zero Target

- 8.1 No specific assessment has been carried out, as the Biodiversity Duty report does not relate to a specific proposal or project, but instead brings together the combined details relating to the benefits to biodiversity that have been achieved through the Council's strategies, plans, policies and actions across its services. The Biodiversity Duty report clearly aligns with the aims and objectives of the

Decarbonisation Strategy and Action Plan in protecting and enhancing biodiversity, as evidenced in the Biodiversity Duty report.

9. Equality, Diversity & Inclusion

9.1 The Biodiversity Duty report does not raise any negative equality, diversity or inclusivity matters, as referenced in the Council's Equality, Diversity and Inclusion Strategy. The actions cited promote equitable access to nature, health and wellbeing benefits and inclusive community engagement.

10. Community Safety issues

10.1 The report does not raise any community safety issues.

11. Conclusion and Recommendations

11.1 This first Biodiversity Duty report reflects the positive approach the Council has taken to embed the conservation and enhancement of biodiversity within its corporate plan, strategies and local plan. Section 1 demonstrates the range of projects that have been delivered by the Council, and those in partnership, between 2022 and 2025 that benefit biodiversity. In addition, the Council has provided many opportunities for schools, community groups and volunteers to engage in conservation work that protects and enhances biodiversity.

11.2 This legacy is set to continue into the next reporting period, which is recommended to be a three-year period from 1 January 2026 – 31 December 2028.

Recommendations

That Cabinet:

- 1) Endorse the publication of the Biodiversity Duty report by no later than 25 March 2026 in order to comply with the statutory requirements of the Environment Act 2021.**
- 2) Agree the subsequent reporting period for the next Biodiversity Duty report to be from 1 January 2026 – 31 December 2028.**
- 3) Delegates authority to the Assistant Director for Planning to make any further necessary amendments, as required.**

Appendix A – Biodiversity Duty Report.