

WEST OXFORDSHIRE DISTRICT COUNCIL
ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE:
THURSDAY 6 DECEMBER 2018
LOW CARBON AND ENVIRONMENTAL PLAN - BIODIVERSITY
REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING

(Contact: Janice Bamsey, Tel: (01993) 861654)

1. PURPOSE

To provide an update on biodiversity issues contained in the Council's Low Carbon and Environmental Plan.

2. RECOMMENDATION

That the Committee requests a review of the Low Carbon and Environmental Plan to enable the biodiversity issues raised in this report to be incorporated into the Plan, and with a view to making appropriate recommendations to Cabinet in due course.

3. BACKGROUND

- 3.1. In July 2018 an annual update on the delivery of the Council's Low Carbon and Environmental Plan was reported to the Environment Overview and Scrutiny Committee. The Plan, approved in 2014, sets out the actions the Council will undertake to reduce carbon emissions and protect the environment. An internal Low Carbon Action Plan takes forward the aims of the Plan.
- 3.2. The Plan and Action Plan largely focus on energy-related issues. As a consequence, there is little consideration of wider environmental issues, particularly concerning the natural environment. Whilst there is a brief mention of the need to conserve and enhance West Oxfordshire's countryside and rich biodiversity, there are no associated actions.
- 3.3. At the July meeting the need was identified for biodiversity to be given greater consideration in the Low Carbon and Environmental Plan. Some tasks suggested for action included a biodiversity audit, developing a Biodiversity Action Plan and highlighting the Council's partnership with Wild Oxfordshire. Three key objectives were suggested:
 - To act as a responsible landowner and manager for the purposes of conserving and enhancing biodiversity
 - To undertake our duties as a regulator and policy maker to ensure the continued protection of biodiversity resources in accordance with legislation and to ensure that new policies are formulated to promote new development that allows biodiversity to flourish
 - To promote the benefits of conserving and enhancing our biodiversity resource to local communities in West Oxfordshire through our role as an advocate and facilitator
- 3.4. This report looks at the international and national context that underpins the need to address biodiversity issues, highlighting key actions we should be undertaking, examples of what we do and what we could do.

4. INTERNATIONAL AND NATIONAL CONTEXT

- 4.1. This autumn has seen the publication of a number of sobering reports, including :

- The World Wildlife Fund (WWF) Living Planet Report ¹ which highlighted that global wildlife population has fallen by 60% since the 1970's as humans overuse natural resources, drive climate change and pollute the planet. WWF chief executive said: 'We are the first generation to know we are destroying our planet and the last one that can do anything about it.'
 - The Intergovernmental Panel on Climate Change² (IPCC) explains the severe damaging effects of climate change on our planet and our lives. Research shows that warming drives the 'escalator to extinction'.
 - The United Nations Convention on Biological Diversity³ - the world body responsible for maintaining the natural life support systems on which humanity depends - warns that a new deal for nature is needed in the next two years or humanity could be the first species to document its own extinction.
- 4.2. Earlier this year the Government released a 25 Year Environment Plan⁴. This sets out a long-term management strategy for the environment that applies to England, which recognises the enormous contribution that nature makes to our wellbeing and our economy. It is designed to ensure that these contributions can continue for generations to come, with a focus on reversing the long-term decline seen in our natural environment that has caused growing social and economic costs. Through the use of a natural capital approach, a series of goals and targets are set, related to:
- Clean air
 - Clean and plentiful water
 - Thriving plants and wildlife
 - Reducing the risks of harm from environmental hazards
 - Using resources from nature more sustainably and efficiently
 - Enhancing beauty, heritage and engagement with the natural environment
 - Mitigating and adapting to climate change
 - Minimising waste
 - Managing exposure to chemicals
 - Enhancing biosecurity
- 4.3. In order to make the vision of a healthier environment a reality, the Government identifies the need for 'solid foundations: comprehensive, reliable data; strong governance and accountability; a robust delivery framework; and everyone to play a role.'
- 4.4. Since the Natural Environment and Rural Communities Act (NERC Act) of 2006, there has been a 'biodiversity duty' on public authorities. For West Oxfordshire District Council this means that regard for conserving biodiversity must be shown in all its actions and decisions, in particular when wildlife and land may be affected, such as: managing public spaces or civic buildings; promoting the local area to visitors or investors; making decisions about energy and water use; deciding how to deal with waste and pollution; and making decisions about development and land use. In December 2016, the Council's Biodiversity Officer made a presentation to the Environment Overview and Scrutiny Committee which

¹ <https://www.wwf.org.uk/updates/living-planet-report-2018>

² <http://www.ipcc.ch/report/sr15/>

³ <https://www.cbd.int/>

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

included explaining about the NERC Act obligations and the benefits of undertaking a biodiversity audit of the Council to identify where biodiversity is already part of the decision making process (e.g. planning) and where it should be considered and applied further. This audit is still to be undertaken.

- 4.5. The clear message from Government is that everyone has a role to play in conserving biodiversity and that, for local authorities, this role is much more than through its statutory planning function. The three objectives identified in paragraph 3.3 above reflect this.

5. LOCAL CONTEXT

- 5.1. The study into the 'State of Nature in Oxfordshire 2017' identified an overall picture of continued pressure on the county's wildlife but how, with the right interventions, declines in our natural habitats and the diversity of our species can be reversed.
- 5.2. There are a number of common emerging themes linked to biodiversity which the Council should consider, in particular: the use of the natural capital approach to recognise the diverse functions and benefits that nature provides; the landscape-scale of conservation and enhancement; and the need for a pro-active approach.

Natural capital approach

- 5.3. While wildlife and habitats have an intrinsic value in their own right, a natural capital approach recognises that all elements of nature either directly or indirectly bring value to people, such as providing food, clean water and air, energy, wood, physical and mental health benefits, recreation and protection from hazards.
- 5.4. Using this natural capital approach, the Government's 25 Year Environment Plan builds on their Industrial Strategy and Clean Growth Strategy, to transform productivity across the country and drive green innovation. This is in recognition that a healthy environment supports a healthy economy - the environment underpins wellbeing and prosperity.
- 5.5. In Oxfordshire, the Housing and Growth Deal aims to deliver sustainable development with a focus on quality of place. A natural capital perspective should be applied to the emerging Joint Strategic Spatial Plan and full use made of OxLEP's Environmental Strategy⁵, both for county and local considerations.

Landscape-scale

- 5.6. The National Planning Policy Framework and the West Oxfordshire Local Plan 2031 advocate the natural capital (ecosystems services) approach to the environment, giving particular emphasis to the need to take a strategic, landscape-scale approach to maintaining and enhancing networks of habitats and green infrastructure. Networks of natural habitats provide a particularly valuable resource and need protection, reinforcement, integration and expansion, creating links to act, for example, as wildlife corridors between fragmented habitats to allow greater coherence and resilience. The objective of this approach can be summarised by: 'more, bigger, better and joined'.
- 5.7. A partnership of conservation bodies – now known as Wild Oxfordshire - assessed the county's key strategic habitats and species at a landscape-scale and devised Conservation Target Areas (CTA). These are the most important areas for wildlife conservation where coordinated delivery of biodiversity work, agri-environment schemes and biodiversity

⁵ <https://www.oxfordshirelep.com/about/our-strategies/environmental-strategy>

enhancements will have the greatest benefit. Examples in West Oxfordshire include the Upper Windrush and Wychwood Forest. Each CTA has a set of targets.

- 5.8. Another example of looking at biodiversity at a strategic level is through the role of Areas of Outstanding Natural Beauty (AONB) and National Parks. One of the commitments in the 25 Year Environment Plan is to review their function. This review – the Glover Review – is currently underway and includes an assessment of how to enhance the environment and biodiversity, focusing on how designated areas can boost wildlife, support the recovery of natural habitats and connect more people with nature. There are likely to be implications for the Cotswolds AONB.

Pro-active approach

- 5.9. Local authorities are well-placed to facilitate and co-ordinate a wide variety of actions. In addition to environmental benefits, investing in the natural environment brings economic and social benefits for an area.
- 5.10. Taking the three key objectives set out in paragraph 3.3 above, there are a number of ways the Council can adopt a more pro-active approach to conserving and enhancing West Oxfordshire's biodiversity. For example:

Acting as a responsible landowner and manager.

- 5.11. Even small changes can have positive impacts for biodiversity, such as:
- Ensuring all our land management practises are informed by professional advice and carried out by skilled operatives.
 - Making changes to the way in which land is managed to maximise benefits to the natural environment.
 - Re-considering how some grounds' maintenance operations, vegetation cutting regimes and the timing of ditch clearance are carried out.
 - Incorporating native pollen-rich species in planting schemes, erecting bird and bat boxes and providing hedgehog-friendly sites.
- 5.12. Where appropriate, sites managed by the Council could have a management plan setting out measures to achieve biodiversity improvements. A management plan can also act as an important mechanism in bidding for and achieving external funding. The Management Plan for Langel Common is an example of good practice, providing clear justification and guidance for looking after this significant area in the centre of Witney. This plan is compliant with the objectives of the Council's wider 'Windrush in Witney' landscape strategy (which includes objectives for biodiversity enhancement at a larger scale) and with the objectives of the Lower Windrush Valley Conservation Target Area. The recommended approach does, however, need to be taken forward into day-to-day land management, including through the drafting and monitoring of grounds' maintenance contracts.
- 5.13. Elsewhere, management plans could provide a basis for coordinating community action and work parties, such as at North Leigh Common and Standlake Common. Ongoing management to maintain and enhance these sites and others like them is an important consideration for the Council. A review of management plans could be carried out to inform the work of Ubico and ensure that the fantastic work of local people to improve these sites is not lost.

- 5.14. Management Plans also provide a mechanism for the Council to contribute to the objectives of our partnership organisations. This is how management plans for North Leigh Common and the Windrush in Witney Management Strategy came about. Modern equivalents would be the Catchment Partnerships and the Lower Windrush Valley Project.

Undertaking our duties as a regulator and policy maker

- 5.15. In terms of planning, the adoption of the West Oxfordshire Local Plan 2031 in September 2018 puts in place statutory policies for the environment, in particular Policy EH3 Biodiversity and Geodiversity and Policy EH4 Public Realm and Green Infrastructure (attached at Appendix 1). There are also specific biodiversity requirements for each of the Strategic Development Areas and the Garden Village. These policies are a good foundation for further, more detailed studies, such as the Preliminary Ecological Appraisal that is currently underway for the Garden Village and the Council's commitment to produce a Green Infrastructure Strategy for the District.
- 5.16. Specific policies have also been included in the Local Plan to support the work of partner organisations involved in safeguarding and promoting biodiversity in our district. These include the Cotswolds AONB Board, the Wychwood Project and the Lower Windrush Valley Project.
- 5.17. Having a sound policy basis puts the Council in a stronger position when negotiating on individual planning applications. Since the appointment of an in-house ecologist (for two days a week), biodiversity enhancements are now negotiated on many proposals, such as integrated bird and bat boxes into buildings, creation of new native hedgerows, wildflower meadows and wetlands and the long-term appropriate management of these habitats to secure that they remain viable and function well for wildlife and people in the future. The National Planning Policy Framework talks about "measurable net gain" in biodiversity as part of development - the Council needs to devise and implement a mechanism for securing this net gain. Developer contributions towards biodiversity conservation and enhancement across the District, e.g. in Conservation Target Areas, could be one of the ways to do this.
- 5.18. To show explicit compliance with the NERC Act and the Council's commitment to the long term protection and enhancement of West Oxfordshire's biodiversity, an action plan for biodiversity and the natural environment could be produced. A corporate biodiversity action plan can identify the many actions the Council could take through its role as a regulator and policy maker but also as land owner and manager and in its advocacy role. A good example is Cherwell District Council's Cherwell Corporate Biodiversity Action Plan which sets out aims, actions and targets.

Promoting the benefits to local communities

- 5.19. In addition to leading by example, robustly undertaking its duties and setting out and implementing sound policies, the Council can have a significant role in promoting good practice for the natural environment through, for example, partnership working, harnessing and supporting local expertise and enthusiasm and encouraging individual households to consider biodiversity.
- 5.20. Partnership working benefits from the ability to pool resources and provide a co-ordinated approach. The Windrush and Evenlode Catchment Partnerships are a good example. A wide variety of organisations and individuals have come together (including, Wild Oxfordshire, BBOWT, the Environment Agency, Thames Water, local landowners, parish

councils and Oxford University) to work towards improved water quality, enhanced flood management, enriched biodiversity, with greater community engagement in rivers, at local and landscape scales.

5.21. As West Oxfordshire has numerous local environmental organisations and partnerships and a diverse and active voluntary sector, the Council can provide an important role by giving long-term support and commitment. Examples of such groups include, the Witney Woodland Volunteers, Chipping Norton and Woodstock Green Gyms, Wychwood Project and Lower Windrush Valley Project conservation work-parties, Cotswolds AONB Volunteers and Eynsham's GreenTEA.

5.22. As part of a review of the Low Carbon and Environment Plan the resources available to undertake this work and to achieve the three key objectives, and the actions arising from them, will need to be considered.

6. NEXT STEPS

6.1. Subject to any comments made by Environment Overview and Scrutiny Committee, the issues raised in this report should be considered further and addressed through an early review of the Low Carbon and Environmental Plan.

6.2. If the Committee agrees with that approach, then a report will be brought to a future meeting to enable consideration to be given to making recommendations to the Cabinet. It will be appropriate for the relevant Cabinet Member(s) to be included in the process.

7. ALTERNATIVES/OPTIONS

The Committee could choose to note the report and take no other action.

8. FINANCIAL IMPLICATIONS

The report has no direct financial implications. It is anticipated that the work involved in reviewing the Low Carbon and Environmental Plan can be accommodated within existing resources.

9. REASONS

It is considered appropriate to review and update the Low Carbon and Environmental Plan because of the Council's duty under the NERC Act and recent changes/publications, such as, the Government's 25 Year Plan and the adoption of the West Oxfordshire Local Plan 2031 (containing environmental and biodiversity policies).

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Background Papers:

Defra (2018) 'A Green Future: Our 25 Year Plan to Improve the Environment'

West Oxfordshire District Council (2018) 'West Oxfordshire Local Plan 2031'

OxLEP (2015) 'Creating the Environment for Growth. Strategic Environmental and Economic Investment Plan for Oxfordshire'

Wild Oxfordshire (2017) 'State of Nature in Oxfordshire 2017'

Cherwell District Council (2016) 'Protecting and Enhancing Cherwell's Natural Environment – Corporate Biodiversity Action Plan 2016-2018'