

TDC Biodiversity Duty – ‘first consideration’

Section 102 of the Environment Act introduces a strengthened duty under s40 of Natural Environment and Rural Communities (NERC) Act 2006 for Councils to conserve and enhance biodiversity. Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is strengthened in the ‘**biodiversity duty**’ that the Environment Act 2021 introduces.

This means that, as a public authority, we must:

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

Local Authorities must publish biodiversity reports, which contain:

- A summary of the action the authority has taken over the reporting period and plans for actions over the subsequent period.
- A summary of the action taken by the authority in carrying out its functions under the biodiversity net gain obligation.
- Information about any biodiversity gains resulting from biodiversity gain plans approved by the authority.
- A summary of the authority’s plans for carrying out those functions over the subsequent reporting period.

The first Biodiversity Report must be published no longer than three years after the day the strengthened duty comes into force (January 2023, so January 2026 at the latest). Subsequent reports must be published no longer than 5 years after the previous.

Below, the Council sets out its first consideration of what action to take for biodiversity.

- TDC, as a Supporting Authority, will continue to work collaboratively with Essex County Council (ECC), the Responsible Authority, towards the Essex Local Nature Recovery Strategy (LNRS)
- As part of the Local Plan Review the Council is reviewing the approach to Green and Blue Infrastructure across the District
- TDC Officers have engaged with ECC and other LAs to produce a draft template Biodiversity Net Gain Supplementary Planning Document
- Organise staff training on Biodiversity Net Gain
- Give consideration to TDC owned land and how it conserve and enhance BNG, initial baseline studies have been commissioned
- commission a Strategic Assessment of the District to identify priority areas for conservation and enhancement
- Explore with stakeholders and landowners where habitat banks within the District can be delivered.