

Biodiversity

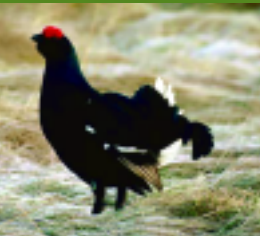
Duty or Opportunity?

Understanding
Denbighshire County
Council's obligations
under the Natural
Environment and
Rural Communities
(NERC) Act 2006



Biodiversity: The variety of all life on Earth. It is what makes the planet, including Denbighshire, a healthy and beautiful place to live.

The Biodiversity Duty



“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

Natural Environment and Rural Communities (NERC) Act 2006 s.40

Introduced to raise the profile of biodiversity, this duty aims to make it an integral part of policy and decision making throughout the public sector. The duty applies to all public bodies within England and Wales and their statutory undertakers. This includes local authorities, community and town councils as well as central government departments, NHS trusts and police authorities amongst others.

Local authorities have a leadership role in achieving a rich and diverse natural environment and are already involved in conserving biodiversity in a number of ways. This is in addition to existing statutory responsibilities to protect designated sites, habitats and species. The emphasis is on what public bodies are, and should be, doing outside of their core biodiversity functions.

Section 42 of the Act requires the Welsh Assembly Government to write and publish a list of habitats and species of principal importance in Wales. This is the Biodiversity Action Plan (BAP) list, replicated in Denbighshire's Local Biodiversity Action Plan (LBAP). The LBAP adds local value by prioritising action for habitats and species of most importance within and adjoining the local authority area.



Cyngor Cefn Gwlad Cymru
Countryside Council for Wales

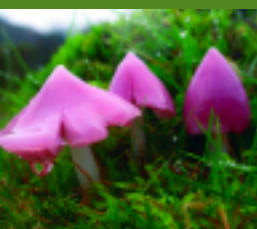


Why is Biodiversity so important?

Denbighshire is rich in wildlife habitats – from our windswept coasts to the heather moorlands of our uplands, through ancient woodlands, limestone grasslands, farmlands and wetlands. Biodiversity is also important in our parks, gardens, roadside verges and school grounds. It is the cornerstone of our heritage and local identity, important for our tourist industry and crucial to the quality of life in our communities. Biodiversity helps create an attractive place in which to live and provides opportunities for relaxation, enjoyment and inspiration as well as contributing to our physical and mental health and well-being. It is an indicator of the wider health of our environment and provides us with the conditions, products, materials and services that we need in order to live on this planet - food, medicines, building materials, flood management, pollination and the provision of clean air and water. It also plays a crucial role in tackling and reducing the effects of climate change. Biodiversity helps to sustain local economies and offers opportunities for community engagement and volunteering, promoting social inclusion.



So how can Denbighshire County Council meet this duty?



As a public authority, biodiversity should be at the heart of our organisation. All services, every team and every individual should be aware of this duty and aim to incorporate biodiversity into all areas of their work. We should be considering the implications of all Council activities to minimise losses and maximise opportunities for biodiversity enhancement through improvements to current services so that it doesn't represent a significant financial burden.

Local authority compliance with this duty is assessed by the Welsh Assembly Government through regular review visits. As a competent authority, Denbighshire County Council is responsible for its own compliance under the NERC Act and other wildlife legislation, in particular the Habitats Regulations. Denbighshire County Council also has responsibilities for compliance of others, including those funded by the Council to carry out activities. Non-compliance could lead to public relations damage, significant legal costs, time-consuming and unconstructive workloads, judicial reviews and, in extreme cases, intervention from the Welsh Assembly Government, Countryside Council for Wales or the Police. This is in addition to negative impacts on the quality of life for communities within Denbighshire if biodiversity loss is allowed to continue.

Guidance on implementing the duty produced by Defra and the Welsh Assembly highlights four main areas where biodiversity should be integrated into local authority functions and activities. These are detailed on the following pages.



1. Council Policies and Strategies

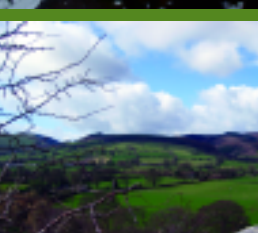
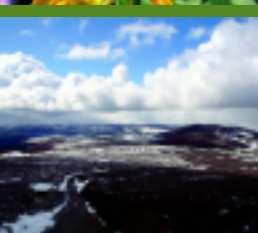
In order to ensure that biodiversity is considered across all local authority functions, and to allocate sufficient time and resources, it is essential that a commitment to conserving biodiversity is incorporated at a strategic level into Council policies and strategies.

Conserving and enhancing biodiversity is fully compliant with the Vision for Denbighshire as an ideal place to live because 'we will respect and maintain our natural environment', and 'we will celebrate and respect the diversity of the county'.

- Corporate strategies
- Sustainable community strategies
- Local area agreements
- Sub-regional strategies
- Climate change
- Sustainable development
- Transport
- Asset management plans
- Economic development plans
- Environmental management systems
- Energy conservation
- Water strategies
- Procurement
- Waste management
- Minerals
- Education
- Green infrastructure and open space strategies



2. Planning, Infrastructure, Development and Council Projects



The conservation of biodiversity is highly dependent on the extent to which it is addressed in infrastructure and development projects and how well the planning process integrates biodiversity into development control and land-use policies. Local authorities have statutory obligations for the protection and enhancement of biodiversity with key principles set out in national planning legislation and policy guidance. There are significant opportunities for enhancing as well as maintaining biodiversity. Embracing these opportunities often significantly improves the development for the end user also. Having correct, up-to-date biodiversity information early on in the process is essential to be effective.

- Local development plans
- Development control
- Planning guidance
- Development projects and briefs
- Green infrastructure
- Regeneration

Case Study:

A thriving colony of lesser horseshoe bats accommodated and protected throughout the restoration of Nantclwyd y Dre, a Grade 1 listed building dating from the 15th century, saved from dereliction and now a popular tourist attraction – not least because of the roost displayed on a monitor in the house.



3. Management of Council Land and Buildings

Local authorities own and manage a whole variety of land and property, all of which can provide habitat for wildlife as well as more interesting and enjoyable public spaces for people. Protecting and enhancing biodiversity on our own estate is a way in which the Council can make a significant difference. The impacts on biodiversity from the way these areas are used and managed can also be reduced. Local authorities can work in partnership with others to promote beneficial land management throughout their administrative areas using their own estate as best practice examples.

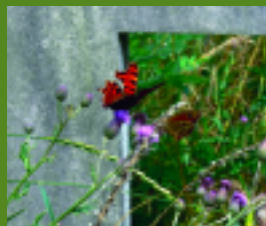
- Highways and verges
- Green lanes and hedges
- Rights of way
- Agricultural estate
- Country parks
- Local parks and public open spaces
- Cemeteries and crematoria
- Sports pitches and golf courses
- Allotments
- Countryside sites and County Wildlife Sites
- Woodlands
- Wasteground / brownfield sites
- Disused railway lines
- River and canal corridors
- Housing estates
- Care units, museums, offices, leisure centres, depots
- Historic buildings and monuments
- Schools
- Bridges and other structures
- Waterside and coastal areas
- Common land
- Civic amenity sites

Case Study:

An otter ledge installed under a bridge on the A494 at Loggerheads, once a hot spot for otter road kills, ensures that they no longer need to cross the road when the river floods.

Case Study:

Brickfields Pond, a former claypit which subsequently lay derelict, has been transformed into a tranquil freshwater lake surrounded by grassland, scrub and woodland which is a haven for migrating and wintering birds and a popular site with human visitors.



4. Community Engagement, Education, Advice and Awareness



Recent research has demonstrated links between access to nature and human health and happiness. A diverse and robust environment can be used to support the delivery of a wide range of local authority services from healthy walks to practical tasks for probation services. Local authorities can promote access to nature and understanding of the natural world in schools, community programmes and through information services. This helps to inspire people and increase understanding of biodiversity and conservation issues and demonstrate the relevance of nature for health and well-being.

- Education
- Recreation and access
- Health services
- GP referral
- Health walks
- Social care
- Libraries and museums
- Information centres and services
- Promoting the local area for business and tourism
- Community outreach
- Family events, walks and talks
- Wildlife gardening programmes
- Volunteering - public and corporate
- Advisory services

Case Study:

Mount Wood in Denbigh, managed through a partnership between the Council and the local community with groups from a variety of backgrounds, but especially those connected to mental health, coming to help with regular management tasks.



Denbighshire's Biodiversity Duty Action Plan

Approved by Council in 2008, Denbighshire's Biodiversity Duty Action Plan explains how the Council can comply with the NERC Act Biodiversity Duty and achieve best practice, as well as highlighting responsibilities under other UK wildlife legislation. It identifies the key areas within the authority where opportunities exist and where priority action is required and provides a framework for further action and progress. Actions vary from protecting internationally important habitats to enhancing the natural environment of school grounds. It looks at all services of the Council and will help to improve delivery of environmental programmes, departmental working on biodiversity and increase awareness among Council staff. It highlights the significant recognition that biodiversity underpins sustainability and emphasises the importance of nature to the quality of life in Denbighshire.

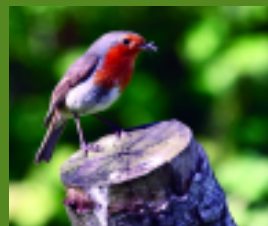
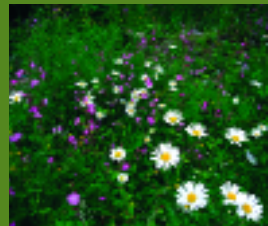
The action plan can be downloaded from the NERC Act section of the Denbighshire Biodiversity website:

www.biodiversityindenbighshire.gov.uk

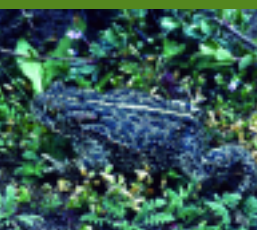
Simple, practical ideas to promote biodiversity:

- Put up bat and bird boxes
- Plant native trees, hedges and shrubs
- Create a green roof
- Link health, education and social services with biodiversity activities
- Enhance bike and walking routes for biodiversity
- Enhance parking areas for biodiversity
- Create wildlife areas in parks, schools, care home and community gardens
- Sustainable procurement policies
- Encourage businesses and the general public to enhance biodiversity
- Use peat free products
- Increase energy efficiency
- Use sustainably made products
- Leave deadwood after tree works
- Reduce use of pesticides
- Change ornamental shrub beds to wildlife friendly planting
- Minimise light and noise pollution of buildings
- Promote the biodiversity of Denbighshire as a reason for tourists to visit the county

Denbighshire's Biodiversity team is available to help with more ideas on encouraging biodiversity and to advise on legal responsibilities.



Further information



For general advice and help contact the biodiversity team on 01824 708234/8263 or at biodiversity@denbighshire.gov.uk

National guidance on the NERC Biodiversity Duty is available from www.defra.gov.uk/wildlife-countryside/biodiversity/index.htm

To download the Denbighshire Local Biodiversity Action Plan (LBAP) and for more general information on biodiversity and the Denbighshire biodiversity partnership visit www.biodiversityindenbighshire.co.uk

To view the information on the NERC Act, guidance on its implementation and the section 42 lists visit www.biodiversitywales.org.uk/legislation_guidance-20.aspx

To find out about species recording in North Wales visit Cofnod, the North Wales local records centre at www.cofnod.org.uk



The Denbighshire Local Biodiversity Action Plan (LBAP): Our Future with Wildlife translates national priorities and targets into local action. It identifies specific ways to protect and restore species and habitats within our local environment, to raise awareness amongst all sectors of society and increase commitment to biodiversity conservation. It is coordinated through a partnership of interested and knowledgeable people and organisations, including representatives from local authorities, government agencies and voluntary bodies.