BIODIVERSITY

SUPPORTING THE RECOVERY OF NATURE IN BLACKBURN WITH DARWEN

BLACKBURN with DARWEN
BOROUGH COUNCIL

FIRST CONSIDERATIONS

DECEMBER 2023

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1.0 PURPOSE OF THIS REPORT

1.1 The Natural Environment and Rural Communities Act 2006 (NERC Act), and the Environment Act 2021, have set specific legal duties for Councils to conserve and enhance nature, and to report on how they are meeting those duties. We must complete our first consideration of the actions we can take to support biodiversity by 1 January 2024, and agree our policies and objectives as soon as possible after this. We must then reconsider the actions we can take within 5 years of the previous consideration, although we can do this more often should we choose to.

1.2 As a public authority (Council), 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

1.3 This report therefore:

- Identifies and considers existing relevant strategies;
- Outlines the current baseline position and available data;
- Identifies a series of objectives and policies to conserve and enhance biodiversity within Blackburn with Darwen, and sets this out within an action plan;

1.4 This report has been prepared with the input of various council departments, including Planning, Environment, Health, Highways and Drainage teams.

1.5 To produce any meaningful benefits to nature, these objectives and actions cannot be tokenistic and simply serve to ‘tick a box’. We must ensure that the actions we identify are actioned, and that, across the Council, we seize all opportunities to conserve and enhance biodiversity.

1.6 However, Council budgets and resources are very restricted and we may not be able to deliver on every identified action or objective. Crucially, the Council do not have any ‘in-house’ ecological expertise, and must outsource priority work to consultants (e.g. BNG statutory requirements). Some of the actions identified in Appendix A of this report are dependent on new funding or resources, e.g the appointment of an ecologist, to deliver. Where these additional resources cannot be sourced, then it will be more difficult to deliver those identified actions. For this reason, the actions table distinguishes between actions we are committed to (will take), for example those required under legislative duties, strategies or plans, and the opportunities we could take (subject to other priorities and resources).

1.7 There may also be opportunities to expand resources by involving local people in conservation and enhancement, for example, new planting schemes. Such interventions can help give local people ‘ownership’ of their area, promote community, foster new relationships, and improve health and wellbeing.

2.0 INTRODUCTION

The importance of biodiversity

2.1 Biodiversity describes all living plants and animals, which live within many different habitats and function within delicately balanced eco-systems. Biodiversity is the foundation of our society and provides many of our basic needs such as oxygen, water and food alongside many other benefits including medicines and protection against floods.

2.2 However, the UK is now one of the most nature-depleted countries in the world. The latest State of Nature Report (2023), shows a continuing, significant loss in biodiversity. The main causes of the decline in biodiversity relate to how we manage our land for agriculture, the effects of climate change and pollution, and habitat loss from new development.

2.3 The loss of nature will have significant impacts on how we live. For example, approximately three-quarters of all crop types grown by humans require pollination by insects; without them, we would struggle to feed ourselves. Each year, around the world, insects pollinate over £690 million worth of crops. Without these insects, it would cost us both time and £1.8 billion every year to do the same job[1]. Globally, however, we have lost 76% of insects since 1970[2], including many of our UK species. The loss of biodiversity is a grave concern and, like the climate emergency, a threat to our very existence.

2.4 To date, the general approach has relied on ensuring no net loss to biodiversity by protecting designated sites and priority species from harmful development. Whilst this works to avoid the most severe impacts on biodiversity and wildlife, it works less well to manage the gradual erosion of lower value and more common habitats which benefit a wide range of flora and fauna. Cumulatively, the loss of habitat adds up to significant rates of biodiversity loss.

2.5 The scale and the pace of biodiversity loss, both worldwide and in the UK, is continuing[3] and it needs urgent action to address and reverse the trend.

Reversing the decline in nature loss

2.6 The Global Biodiversity Framework guides worldwide actions to 2030 to preserve and protect nature and its essential services to people. Over 100 countries, including the UK, have committed to protect 30% of their land and seas by 2030 (30 x 30).

2.7 At a national level, the Government have set out their commitment to help the natural world regain and retain good health, and have introduced a series of plans and legislation to improve nature. The 25 Year Environment Plan (25YEP) (2018) sets out their vision for a 25-year plan of action, with a commitment to refresh the plan every 5 years.

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[1] Save bees and pollinators | The Wildlife Trusts

[2] Hallan et al (2017). More than 75% decline over 27 years in total flying insect biomass in protected areas

[3] TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf (stateofnature.org.uk)

2.8 The first review, the Environmental Improvement Plan (EIP) (2023), reinforces the 25YEP framework, with a plan to deliver it. By 2042, the Government have committed to increasing species abundance by at least 10% from 2030 levels, restoring or creating at least 500,000ha of habitats and restoring 75% of 1 million hectares of protected sites to favourable condition. The EIP introduces 10 goals, with the apex goal of halting the decline in biodiversity.

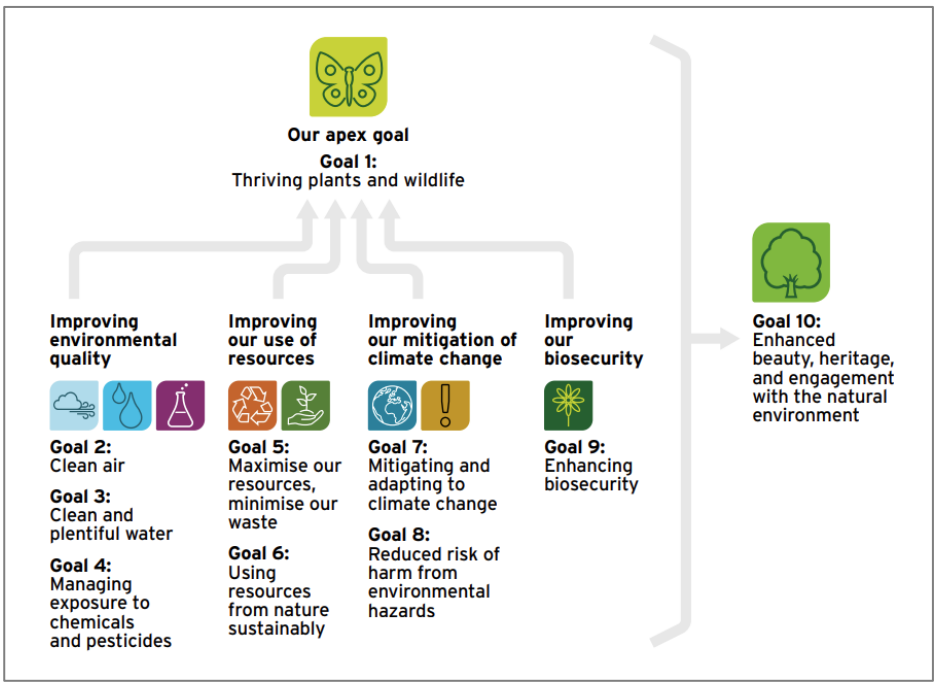


Figure 1: 10 goals of halting the decline in biodiversity; Source: EIP 2023

2.9 As the EIP goals illustrate, biodiversity provides a range of environmental, social and economic benefits. Rather than seeing net gain requirements as an extra cost or burden within new development, there are real opportunities to benefit from the natural capital it can bring. For example, prescribing access to nature can help improve mental and physical health, in turn reducing the cost burdens of those associated illnesses on the health service.

The Joint Climate Emergency

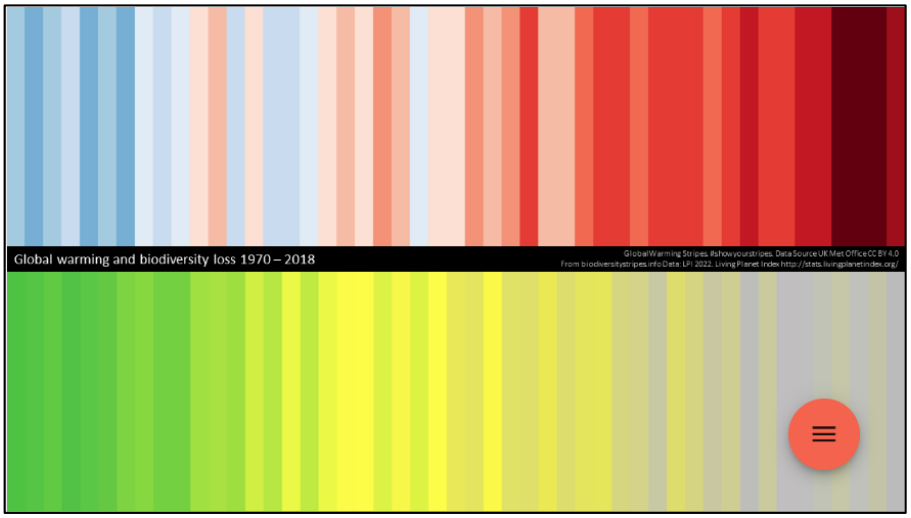
2.10 The Biodiversity Emergency and Climate Emergency are inextricably linked – effectively, they are two sides of the same coin. Climate change is exacerbating nature's decline, and the loss of wildlife and wild places leaves us ill-equipped to reduce carbon emissions and adapt to change. One crisis cannot be solved without addressing the other.

2.11 Multi-functional improvements are critical to effectively addressing both emergencies. For example, restoring peatland habitat can also help slow the flow of water into river systems to reduce the risk of flooding, whilst planting native trees can help sequester (store) carbon, improve air quality, provide habitat, improve drainage to mitigate flood risk and improve the attractiveness of place with benefits to health and wellbeing.

2.12 The Council have declared a Climate Emergency and delivering the Climate Emergency Action Plan (CEAP) is one of the Council's four core missions to deliver its corporate vision. The CEAP contains a range of actions to help mitigate emissions and adapt to climate change. Many of these actions, for example, tree planting, will also help to respond the biodiversity emergency. In fact, improving biodiversity within the borough will help to deliver a range of multi-functional benefits, including improving health opportunities, making our area more attractive to live, and reducing the risk of flooding.

Figure 2: Global warming and biodiversity loss 1970-2018

The top row shows the increase in global temperatures over time, with the bottom row showing the loss in global biodiversity over the same time period. Biodiversity is declining as temperatures increase, showing the two crises are closely linked.



Source: Miles Richardson / University of Derby: Biodiversitystripes.info

The Council's legal duty to conserve and enhance biodiversity.

2.13 The Government have committed to halting biodiversity loss through legislation. Section 40 of the Natural Environment and Rural Communities Act (NERC) (2006) (as amended), places a legal duty for all public authorities (including Councils) to further the "general biodiversity objective" – that is, to conserve and enhance biodiversity. Section 102 of the Environment Act 2021 strengthens that duty further, so that public authorities must periodically consider what action they can take to conserve and enhance biodiversity and then take that action.

2.14 Essentially, this means we must think about how we can conserve and enhance habitats and wildlife within Blackburn with Darwen, by identifying a series of objectives (what we want to achieve), policies and actions (what we will do to achieve them).

2.15 The "first consideration" of the actions the Council can take must happen within one year of Section 102 coming into force, and the determination of policies and objectives for taking action must be made 'as soon as practicable' after that consideration. In doing so, authorities must have regard to any other relevant strategies, including the Local Nature Recovery Strategy, and any relevant Species Conservation Strategy or Protected Site Strategy

2.16 Section 102 of the Environment Act 2021 came into force on 1 January 2023, and therefore the first consideration must be taken by 1 January 2024.

The Council's legal duty to report on the conservation and enhancement of biodiversity.

2.17 Section 103 of the Environment Act 2021, and Section 40A of the NERC, requires local authorities, and local planning authorities (LPA), to publish *Biodiversity Reports*. These reports must contain a summary of the action that the authority has taken over the past reporting period and plans for action over the subsequent period, alongside any other information the authority considers it appropriate to include in the report. The LPA must also report on a summary of actions in relation to biodiversity net gain (which commences in January 2024).

2.18 The NERC requires that the first Biodiversity Report must cover a period chosen by the authority which is no longer than 3 years from the date on which the duty first applies. As the Environment Act came into force on 1 January 2023, the first Biodiversity Report is due 1 January 2026. Subsequent biodiversity reports must then cover a period chosen by the authority which is no longer than 5 years from the date of its most recent biodiversity report.

2.19 Table 1 sets out the timescales for the different requirements.

Table 1: Timetable for various requirements

	Environment Act duty takes effect	1 January 2023
→	**First consideration**	**1 January 2024**
	Biodiversity Report 1	1 January 2026
	Biodiversity Report 2	1 January 2031
	Subsequent Biodiversity Reports	Every 5 years from 2031

2.20 The "first consideration" therefore provides the basis for the first biodiversity report – i.e. it sets out the actions we intend to take now, and then our first biodiversity report will assess whether we have taken the actions we have first identified, along with any other actions we've taken, or plan to take in the future.

2.21 It should be remembered that reversing the decline in nature will take time, and we are still at the start of our journey. New requirements, like biodiversity net gain, and the local nature recovery strategies, are still at the very early stages of their implementation (or, at time of writing this report, not yet in effect) and will be a learning process for everyone involved. Some of the actions identified in this report will therefore evolve and change over the reporting interval, as we evaluate guidance, information and resources. The actions table will be a live document, which we may update at any time.

2.22 The Government have produced guidance on complying with the strengthened Biodiversity Duty. This includes a suggested format for reporting on biodiversity duty actions. This format will be used when the Council prepare their first Biodiversity Report.

3.0 CONSIDERATION OF EXISTING RELEVANT STRATEGIES

3.1 In considering what we can do to conserve and enhance biodiversity, we need to take account of existing strategies that we can 'tap into' and/or connect so that all opportunities can be maximised. These may be dedicated biodiversity strategies, but may also include related strategies, for example, strategies or action plans to address the twinned climate emergency. There are a number of strategies which will shape and guide our duties to nature, and influence our policies, objectives and actions, and these are outlined below.

Local Nature Recovery Strategy (LNRS)

3.2 The Environment Act has introduced a new requirement for a national network of wildlife-rich places, to address biodiversity loss, climate change and wellbeing. The national network will be comprised of a mandatory network of 48 spatial strategies for nature, known as 'Local Nature Recovery Strategies' (LNRS). Each LNRS will be prepared by a responsible authority – typically, the county council or a combined authority. The Lancashire LNRS will be prepared by Lancashire County Council (LCC) working with district authorities and upper tier authorities, including Blackburn with Darwen Borough Council.

3.3 Each LNRS will map out the action needed to restore nature, and agree the priorities for nature's recovery, map the most valuable existing areas for nature and map specific proposals for creating or improving habitats for nature and wider environmental goals. They will help support nature and 'nature-based solutions' by drawing together and coordinating actions from existing plans and strategies, and proposing what more should be done. They will help provide a common focus for action across the public, private and voluntary sectors, including biodiversity net gain (BNG), duty on public authorities, integrating opportunities for nature recovery into the planning system, public funding and private green finance and voluntary action. They will also propose action, focus delivery, and be reviewed and updated every 3-10 years.

3.4 The LNRS will recognise areas as being of particular importance for biodiversity (nationally designated sites, local nature reserves (LNRs), local, or district, wildlife sites (DWS) and irreplaceable habitats (IHs). Irreplaceable habitats are based on those habitats the land-use planning system in England recognises through the NPPF. Priority habitat does not have this level of protection even though it is recognised as 'habitat of principle importance' through the NERC. LNRS do not confer new protections upon areas, but instead utilise the existing system of habitat protections.

3.5 LCC have commenced preparatory works on the LNRS, beginning with the collection of key data relating to existing wildlife-designated sites in each of the Lancashire local authority areas (Autumn 2023). However, it is expected that the production of the LNRS will take 12-18 months, and so a final LNRS is only expected from 2024/25.

3.6 Once the Lancashire LNRS is finalised, the Council will use this to assess the 'strategic significance' of off-site biodiversity net gain delivery.

Biodiversity Net Gain (BNG)

3.7 BNG is a new requirement, from January 2024, for most new development to deliver a minimum of 10% biodiversity net gains on the pre-development baseline. It is designed to ensure that new development contributes to the recovery of nature. When measuring the gains that a development will deliver, the calculations take into account whether the proposed habitats accord with any local planning strategies – the 'strategic significance'. Those habitat enhancements proposed within strategic areas, will be scored more favourably through the calculation metrics. The strategic areas will be guided by the LNRS. However, in the interim, strategic significance, as explained in the BNG Planning Advisory Note, will be informed by the current Green Infrastructure and Ecological Network SPD.

3.8 At present, the Council are working with LCC to prepare a LNRS, but it remains in a relatively early stage of preparation and therefore cannot be considered in this report in any level of detail. However, the Council remain committed to supporting its development.

Identified Action:

➔ To co-operate and support the production of the Lancashire LNRS

Local Plan 2021-2037

3.9 The Council are in the final stages of preparing a new Local Plan, which will guide development within the borough. The Plan contains a number of strategic planning policies including CP6: The Natural Environment, which guides that ecological networks should be strengthened and better-connected to stem the loss of nature and deliver biodiversity net gains. In advance of an LNRS, it confirms that consideration should be given to existing biodiversity strategies, including the Green Infrastructure and Ecological Networks SPD (see below), Environmental Opportunity Areas (Policy DM14), and potential enhancements to existing wildlife habitat sites (Policy DM15).

3.10 Environmental Opportunity Areas (EOAs) are areas of land which have been identified through the Council's Climate Change and Natural Capital Study (2021) as having the potential to deliver enhancements to habitats, to store and manage carbon and to mitigate flood risk. Policy DM14 of the Local Plan identifies that these sites may be used for carbon or biodiversity offsetting schemes, and may be linked to statutory and non-statutory designated sites and form part of nature recovery networks. The use of EOA's remains subject to further consultation with relevant partner and delivery agencies, as well as landowners.

3.11 In 2023, the Council commissioned ecological studies of a number of Council-owned sites, including District Wildlife Sites, and some EOAs to understand the current habitats and their ecological condition, and identify the interventions that may be possible to enhance their ecological status. The study results will be used to inform whether any sites can be used to support the delivery of off-site biodiversity net gain. Biodiversity Units (the costs associated with enhancing existing or creating new habitats) can then be sold to developers to provide off-site BNG. The delivery of off-site BNG can then help improve the ecological condition of identified habitats within the borough.

3.12 Whilst the responsibility to identify off-site BNG lies with the developer, the Council expect that few privately owned sites will be available in the early period of BNG's implementation. Therefore, the Council expect that there will be a significant reliance on the public-sector to identify opportunities for BNG. Whilst not obligated to do so, the Council will continue to seek to identify opportunities for BNG on council-owned sites, which will i) allow the council to generate funding to support interventions for the conservation and enhancement of biodiversity within the borough; and ii) prevent development in the borough from being stymied by an insufficient supply of off-site BNG opportunities. However, it should be noted that the Council cannot direct developers to our own sites in preference of other sites, unless there is clear ecological justification to do so. The Council have appointed ecologists to assess the potential of some council-owned sites for off-site BNG. Most of the shortlisted sites are on 'strategically significant' sites, and so, should they be taken forward, this provides an 'ecological justification' to encourage developers to purchase biodiversity units from council-owned sites.

3.13 The Council will also continue to monitor opportunities for additional green finance and promote these with developers as appropriate. Any known details of available opportunities will be published on the BNG webpages of the Council website.

3.14 A *Natural Environment Supplementary Planning Document (SPD)* will be prepared to provide further guidance on relevant environmental aspects of the Plan. It is intended the SPD will reflect the completed LNRS. In the interim, a Planning Advisory Note (PAN) will guide BNG.

BNG Planning Advisory Note / Green Infrastructure and Ecological Networks SPD

3.15 In advance of the Natural Environment SPD (and LNRS), the Council have prepared a BNG Planning Advisory Note (PAN) to provide guidance on how biodiversity should be considered within development proposals, in accordance with the requirements of the Environment Act (2021) and associated legislation, National Planning Policy Framework (NPPF) and the Blackburn with Darwen Local Plan (2021-2037).

3.16 It confirms the strategic context for delivering off-site BNG within the Borough, in advance of the LNRS, drawing upon the Lancashire Ecological Networks (LEN) previously identified and detailed within the Green Infrastructure and Ecological Networks SPD (2015). It also outlines how Environmental Opportunity Areas and green and blue infrastructure also fit in with biodiversity considerations.

3.17 The areas identified in policies and strategies as being of strategic significance are provided as an interactive online map, and will be used to shape development of the LNRS. It is anticipated that Council owned off-site BNG opportunity sites will also be shown on the map.

Identified Actions:

- ➔ To finalise the BNG Planning Advisory Note to provide BNG guidance
- ➔ To prepare a Natural Environment SPD, providing detailed guidance on planning requirements relating to nature, including its conservation and enhancement

- ➔ To develop publicly-available interactive online mapping to inform biodiversity strategies

- ➔ To continue to explore the use of council-owned sites to deliver improvements to ecological habitats (where relevant, alongside other multi-functional benefits), including the commission of studies to support BNG opportunities on council-owned land, identify biodiversity unit values and promote the sale/use of these units to deliver BNG

- ➔ To monitor opportunities for additional green finance and pursue/promote these as appropriate

Protected Site Strategies (PSS)

3.18 There are a number of different types of Protected Sites, which are sites typically established for nature conservation. Protected sites include internationally or European protected sites such as Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar wetland; nationally protected sites including Sites of Special Scientific Interest (SSSI) and locally protected sites (LNRs, DWS). There are no international or European protected sites within the Borough, but the Borough does contain an SSSI (West Pennine Moors) and some sites with local wildlife protections.

3.19 Established by the Environment Act 2021, Protected Site Strategies aim to bring together key stakeholders to address on and off-site pressures on protected sites to help restore important habitats, species and geodiversity. They will support the delivery of other Environment Act policies, including LNRS, and opportunities for BNG.

3.20 In 2022, the Government announced 5 PSS pilot projects, though none of them were in Lancashire. At present, there are no PSS to consider.

Species Conservation Strategies (SCS)

3.21 Established by the Environment Act 2021, Species Conservation Strategies aim to safeguard the future of the species that are at greatest risk. The strategies will find better ways to comply with existing legal obligations to protect species at risk and to improve their conservation status.

3.22 There have been 3 national SCS pilots, none of which are in Lancashire. At present, there are no SCS to consider.

3.23 There are no relevant Protected Sites Strategies or Species Conservation Strategies to consider, at this time. The Council will continue to monitor this.

Identified Actions:

- ➔ To continue to monitor the announcement of any future Protected Site or Species Conservation Strategies that are relevant to Blackburn with Darwen, or the LNRS

Climate Emergency Action Plan (2023)

3.24 The Council have declared a Climate Emergency, and have adopted a Climate Emergency Action Plan (CEAP) which has been developed to steer action across Blackburn with Darwen and deliver on our corporate plan objective to reduce our carbon footprint.

3.25 The CEAP sets outs the actions that the Council and others will take to work towards becoming a carbon neutral borough by 2030, including planting more trees to capture carbon and commissioning studies to examine natural flood management. These 'natural-solution' interventions, identified to address the climate emergency, also help to protect and provide habitat, further supporting the conservation and enhancement of biodiversity within the borough. There are clear opportunities to combine our responses to the climate and biodiversity emergencies.

Tree and Woodland Strategy (TAWS) (2023)

3.26 This strategy (currently at draft stage) sets out a vision for how trees and woodland in the borough are to be managed, now and in the future, and introduces a series of objectives to achieve that vision, with those objectives then supported by a series of identified actions. The TAWS provides the strategic framework for the management of our current and future tree stock, including how to minimise the avoidable loss of trees and the identification of new planting and woodland management opportunities. The Strategy will be used across the Council to provide information to guide tree, woodland and hedgerow management and maintenance, and new planting.

Identified Actions:

➔ To holistically consider how our responses to the twin climate and biodiversity emergencies can bring positive, multi-functional benefits.

➔ To incorporate climate actions, and woodland management / tree planting within the biodiversity actions

Drainage and Flood Risk Management

3.27 The Drainage Planning Guidance (2020) document provides technical guidance for developers on flood risk, sustainable urban drainage systems and the discharge of surface water. As part of future updates, guidance could be updated to better explain how natural solutions can be used, and integrated within, flood mitigation.

3.28 Similarly, the Lancashire Local Flood Risk Management Strategy 2021-27 has been produced by Lancashire's Lead Local Flood Authorities (LLFAs). It provides a context, identifies the local flood risks, challenges and opportunities; sets out how and when measures will be implemented to address flood risk, and how the strategy will be monitored and reviewed. Again, there are opportunities to expand how natural solutions can be used in increasing flood resilience.

Identified Actions:

➔ To consider how biodiversity, and natural solutions, can be integrated within flood mitigation solutions when the technical guidance documents are next reviewed.

2.29 Collectively, these strategies have been used to inform the development of the objectives and action to meet our biodiversity duties.

4.0 CURRENT BASELINE / DATA / MAPPING

Borough Overview

4.1 The borough is a mix of urban and rural areas, featuring a diverse variety of habitats across grasslands, parks and open spaces, woodlands and moorland as well as reservoirs, canals and rivers.

4.2 The Council's Climate Change and Natural Capital Study (2021) provided an assessment of habitats found within the borough, and deemed the most extensive habitats types to be: improved grassland, suburban and urban areas, heather grassland and heather, acid grassland, bog, broadleaved and coniferous woodland and freshwater, distributed across lowlands and uplands. There are a number of priority habitats present across the borough, including blanket bog (223ha), deciduous woodland (785ha), lowland fens (194ha), upland heathland (105ha) and semi improved grassland (145ha). The borough's habitats serve a range of purposes, including habitats, pollination, food, timber, water supply, carbon sequestration and storage, flood protection, water quality, and cultural services.

4.3 In terms of water habitat, the Borough contains the Leeds-Liverpool canal (running west-east through Blackburn), the River Darwen, and River Blakewater. Reservoirs are widespread across the borough, principally along the River Roddlesworth and Bradshaw Brook. The borough also contains a mix of other watercourses, including ponds, weirs, sluices, culverts and streams.

4.4 Whilst the study identified many of the key habitats within the borough, it did not provide any detail as to their general condition as typically this information can be challenging to obtain, without the commissioning of detailed surveys. However, the study identified a series of key opportunities for the borough's habitats, including managing sensitive habitats, enhancing and connecting existing habitats, and creating new habitats. It also identified opportunities to tie in habitat interventions with other multi-functional benefits, including carbon management and flood management.

4.5 Some of the habitats within the borough are designated as sites of biodiversity importance. The types of designations found within the borough are set out below.

Biodiversity Site Designations

4.6 Sites can be identified for their environmental importance at a local, national or international levels. Different organisations are responsible for identifying and managing the sites. The borough does not have any national or internationally important wildlife sites. Instead, our sites have a regional or local importance.

Local Nature Reserves (LNRs)

4.7 LNRs are a statutory designation. Local authorities (County or District/Borough level) can create Local Nature Reserves (LNRs). The local authority must control the LNR land – either through a lease or an agreement with the landowner. The land must be

cared for and its natural features protected, and must be made accessible for any visitors. Typically, LNRs are natural green space with wildlife interest.

4.8 The following BwD designated LNRs can be found within Blackburn with Darwen:

- Pleasington Old Hall, Blackburn
- River Darwen Parkway
- Arran Trail
- Sunnyhurst Wood

4.9 No data is held on the current ecological condition of these sites.

Local Sites

4.10 Local sites do not have a statutory status, and there is no single national system for identifying local sites. In Lancashire, Local Sites comprise: Biological Heritage Sites, local geodiversity sites and District Wildlife Sites.

Biological Heritage Sites

4.11 Biological Heritage Sites (BHSs) are 'local wildlife sites' in Lancashire, and are identified using a set of published guidelines. Sites are identified based on the significant contribution they make to the biological diversity of Lancashire. Any losses of these sites would be regarded as significant beyond the immediate locality, and it would be difficult or impossible to make good for all practical purposes. BHSs should support habitats or species which are threatened or rare nationally or regionally, and reflect the variety of habitat types of nature-conservation importance in Lancashire.

4.12 There are a number of BHSs in Blackburn with Darwen. BHSs are the responsibility of Lancashire Biodiversity Partnership (LBP). The LBP, and Lancashire County Council, hold the current data on BHSs but it is dated and so LBP/LCC are undertaking new ecological assessments of all BHSs across Lancashire over the next 10 years. Results will be used to update held information.

District (Local) Wildlife Sites

4.13 District Wildlife Sites (DWSs) are areas of land which have been identified as being of local importance in providing habitat for wildlife. The original designations of DWSs were made in 2011, based on surveys undertaken in 1991 and partially updated in 2005. In June 2022, Blackburn with Darwen Borough Council (BwD) commissioned ecologists to undertake updated surveys of each of the borough's DWSs. 37 DWSs were assessed for the habitats present, their condition, and the types of interventions that are required to conserve and enhance nature on those sites.

4.14 This information will be used in the Council's duties to biodiversity, and to support the delivery of BNG. Further, more detailed studies have been commissioned, in 2023, on selected sites to refine the interventions that need to be taken and inform the costing of biodiversity units (for off-site BNG delivery).

4.15 The BHS, LNRs, and DWSs can be viewed on the Council's Biodiversity Interactive mapping (or through the Local Plan mapping).

4.16 These locally important wildlife sites, including BHSs and LNRs, are protected through Local Plan Policy DM15: Protection and Enhancement of Wildlife Habitats.

Irreplaceable habitats

4.17 Irreplaceable habitats recognise and protect England's most valuable habitats, which have high biodiversity value and are have significant protection in the NPPF from development. Within Blackburn with Darwen, they include the following designated areas:

Ancient woodlands

4.18 Ancient woodland takes hundreds of years to establish and is defined as irreplaceable habitat. It is important for many things, including wildlife. It refers to any area that has been continuously wooded since 1600, and has protection, as irreplaceable habitats, in the NPPF. The borough has several areas of ancient woodland.

Sites of Special Scientific Interest (SSSI)

4.19 SSSIs are areas of land designated for their importance in supporting plants and animals that find it difficult to survive elsewhere in the countryside, and are protected under the Wildlife and Countryside Act 1981. Within Blackburn with Darwen, the SSSI relates to the West Pennine Moors. The moors contain irreplaceable habitats such as blanket bog.

Available Data

4.20 We can use existing data to try to understand the current biodiversity 'baseline' in the borough. This is outlined below. However, we are aware that much of the data is out-of-date, and ecological conditions are continuously changing. Undertaking ecological surveys of land is costly, time-consuming and resource intensive at a time when council resources and funds are stretched across many competing priorities. We will, of course, seek to build an accurate data picture as is possible, including the commissioning of new studies as appropriate, and compiling information from third party studies, but this will be a gradual process over time. New, emerging technologies, for example, citizen science and artificial intelligence, may assist with improving the collection of data.

Local Sites in positive management (ENV10)

4.21 Local Sites are sites designated locally for their substantive nature conservation importance, either for wildlife or geology. Sites in positive conservation management are defined as those sites which are being managed to conserve their nature conservation interest. Assessing the extent of positive management can help to identify sites where positive management is lacking and will help to focus the efforts of Local Site Partnerships (LSPs) in ensuring local sites are managed and their nature conservation value is maintained or enhanced.

4.22 Local Sites include Biological Heritage Sites, Local (District) Wildlife Sites and Local (County) Wildlife Sites (Defra 2006).

4.23 The Government collect data on the number / percentage of local sites in positive conservation management. However, due to the resources needed to assess sites regularly, the last available data for Blackburn with Darwen is for 2009/10 when 5% of the total number of sites in the borough were in positive management. This compares with a national proportion figure of 0.3% for 2008/09 and 0.39% for 2009/10, indicating that the borough's local sites were above the national average. However, over a decade has passed since local sites were formally assessed, and so their conservation status is in need of update. It is anticipated that BNG, and other ecological work, will help provide some new information to update this data set.

4.24 This absence of data is not unusual. The Wildlife Trust believe that there is only information about the condition of 15% of local wildlife sites in England, largely due to insufficient resources to survey and record the remaining 85% of sites.

4.25 As part of statutory requirements for BNG, developers / landowners of off-site habitats will be required to monitor and report on BNG delivery, including the condition of those habitats. This will help to monitor where positive conservation is being taken on local sites, for example, where off-site BNG is delivered on Council owned DWSs.

Table 2: Nature conservation: Local sites in positive conservation management in England

Blackburn with Darwen	2008/09	2009/10	2010/11	2021/22
Total number of sites	104	99	No report	
% of sites in positive management	10%	5%	No report	

Source: Defra 2023

Sites of Special Scientific Interest (SSSIs)

4.26 Natural England are responsible for safeguarding and assessing the condition of SSSIs – examining whether they are in favourable or recovering condition. The Government, in its EIP, has committed to restoring 75% of SSSIs to favourable condition by 2042, securing their wildlife value for the long term. Landowners are responsible for the management of SSSI land, including grazing, controlling water levels and clearing scrub.

4.27 SSSI features (the species or habitats for which the sites have been designated) have been assessed by Natural England since 2003 and the latest data available is to March 2022 – however, not all areas are assessed at the same time. Since 2013, Natural England has adopted a risk based approach to the frequency of monitoring sites, which varies according to a range of factors such as risk to the site and the stability of its ecology. Natural England continues to support and encourage its partners and major owners of SSSIs in the work they do on monitoring. Natural England is also developing its approach to the monitoring of SSSIs, including use of new technologies such as remote sensing and greater partnership involvement.

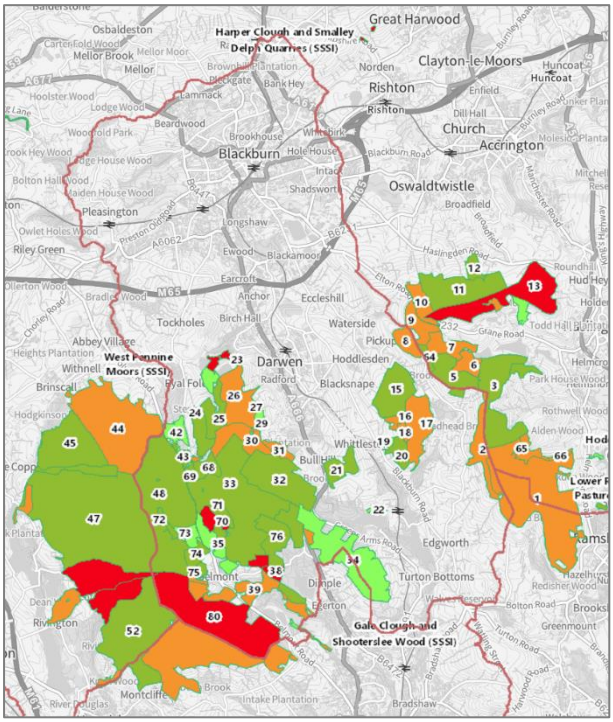
4.28 Parts of the West Pennine Moors were designated a SSSI in 2017, recognising the national importance of the area's upland habitats, moorland fridge grasslands and woodlands, which support breeding birds. SSSIs carry greater significance, and protection, than some other wildlife area designations. In achieving its SSSI designation, some areas of land that were Biological Heritage Sites were subsumed

by the SSSI designation, thereby seemingly reducing the area of BHS within the borough although in actual fact achieving a greater level of environmental protection.

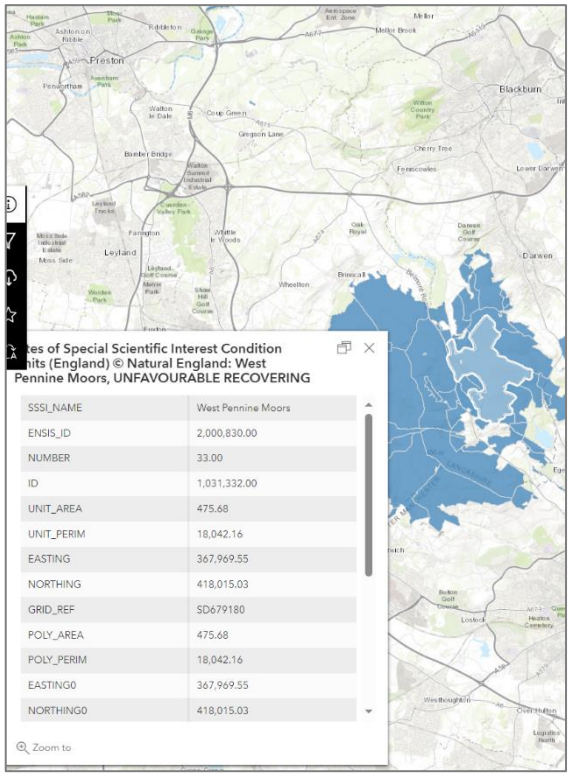
4.29 The designated SSSI within Blackburn with Darwen therefore relates to the West Pennine Moors (WPM), and its various sub-areas (shown in Figure 3) were last assessed in 2013. A relatively small number of those sites were, in 2013, assessed as being in favourable condition, with a larger proportion in unfavourable [but] recovering condition. There are, however, a number of sites shown as unfavourable or unfavourable declining.

4.30 There are a series of projects planned, including Peatland Landscape Recovery, and flood alleviation proposals, that are within, or relate to, the WPM. The hills provide a catchment land for water, providing clean drinking water for households, and their ability to store water provides a vital role in reducing flood risk in urban areas downstream. These interventions can also help to conserve and enhance nature.

Figure 3: Defra/Natural England datasets on SSSI condition



Source: Defra magic map



Source: Natural England (SSSIs)

Expenditure on biodiversity (ENV26)

4.31 Until 2010/11, the Government recorded data on the amount spent by the public sector on biodiversity as one way of assessing the priority that government gives to biodiversity. Only biodiversity related grant money and programme expenditure was included and figures do not include associated operational costs. In 2010/11, UK public sector spending on biodiversity stood at £458.9million and 0.031% of GDP (Source: Defra Biodiversity expenditure datasets). In 2020/21, public sector biodiversity expenditure stood at £464 million (Source: Defra funding for biodiversity). Data is not available at local authority level.

4.32 With the Government's commitment to the biodiversity objectives, it would be expected that the proportion of national expenditure on biodiversity will now increase. Within BwD, the amount of money collected for BNG will be reported (whether through Biodiversity Reports, the Annual Monitoring Report (AMR) and/or Infrastructure Funding Statement (IFS)) in accordance with our reporting obligations.

Identified Actions:

- ➔ To continue working towards gathering up-to-date data on the biodiversity within the borough, including the condition of its habitats.
- ➔ To work with partners to establish a more thorough and detailed evidence base of the biodiversity in the borough
- ➔ To use available data to form a baseline position, against which improvements can be made.
- ➔ To increase the number of local sites in positive conservation management in the borough, which may include the need to undertake further assessments, and to monitor the delivery of habitat enhancements through BNG

5.0 POLICIES, OBJECTIVES, ACTIONS

5.1 This report has reviewed existing relevant strategies, and available data, to identify a series of gaps, weaknesses, strengths and opportunities for actions to help nature to recover. Through this 'first consideration', we can also begin to identify objectives and policy approaches.

5.2 We have proposed a number of objectives, policies and actions to meet our biodiversity duty, which are set out in an initial Action Plan (Appendix 1). Some of these have been identified through the review of strategies and data presented through this report. Others have been collated from suggestions of interventions and measures that could be taken across a range of Council services, subject to resources and funding.

5.3 The Action Plan has sought to identify the actions we will take, and the opportunities we could take. The actions we will take are largely tied to existing legal duties, for example biodiversity net gain, and existing commitments and strategies, for example, the Local Plan and Climate Emergency Action Plan. There are additional opportunities identified – these are aspirational and are subject to other council priorities and available resources. For example, if the Council are to decide that biodiversity needs to have an increased corporate focus, then it will likely necessitate a dedicated ecologist post that can provide the necessary expertise and steer.

5.4 The Action Plan identifies a number of objectives and then the policies and actions to help meet each objective. Those objectives are:

Objective	Sub-category
Embedding biodiversity within our Leadership and Decision Making	• *Embedding biodiversity in our corporate approach* • *Development of Policy, Strategy and Guidance*
Improving our evidence base	• *Improving our evidence base and monitoring* • *Understanding the availability of land for nature conservation and enhancement*
Measurably increasing biodiversity	• *Support the delivery of BNG as part of new development* • *Delivery of new and enhanced habitats* • *Council-owned land / buildings / assets*
Promoting education and awareness of biodiversity	• *Within the Council* • *For Communities*
Promoting the importance of biodiversity for health and wellbeing	• *Integrate biodiversity within Health and wellbeing*

5.5 Biodiversity is, or can potentially be, included within a series of strategies, including:

- Local Plan 2021-2037
- Natural Environment Supplementary Planning Document
- Climate Impact Framework Supplementary Planning Document
- Lancashire Local Nature Recovery Strategy
- Climate Emergency Action Plan

- Tree and Woodland Strategy
- Health and Wellbeing Strategy
- Drainage Guidance

5.6 To meet our duties to nature, the Council would benefit from the introduction of a Biodiversity Strategy that can look across all services to provide a holistic approach to conserving and enhancing nature within the borough, and to optimise all the social, environmental and economic benefits it can provide in return.

5.7 The Action Plan will be a live document that is updated as progress is made, further evidence comes to light, and new opportunities arise. Whilst there are a number of actions that require specialist expertise, and/or detailed studies, it is also expected that there will be many biodiversity improvements which could be made for little or no cost by making small changes in working practices, for example to planting, mowing, or general maintenance of council owned land.

Statutory requirements

5.8 In addition to the actions and objectives identified, the Council have existing obligations with regard the following statutory requirements.

Strategic Environmental Assessment and Sustainability Appraisal

5.9 A Sustainability Appraisal (SA) is a process that must be carried out during the preparation of Local Plan and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. An SA must be undertake at each of the plan's preparation stages.

5.10 SAs incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (typically referred to as the Strategic Environmental Assessment (SEA) Regulations). SEAs consider only the environmental effects of a plan, whereas an SA considers social, economic and environmental impacts. SEAs alone can be required in some limited situations where an SA is not needed. However, in most cases, the SA will cover that required by an SEA.

5.11 Further information on SA/SEA can be found from DLUHC.

5.12 In October 2023, the Government passed the Levelling-Up and Regeneration Act which commits the Council to the introduction of Environmental Outcome Reports (EORs). These will ultimately replace SA and SEA. More detail is awaited.

Habitat Regulations

5.13 European sites (of wildlife importance) are protected by the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the Habitats Regulations). A Habitat Regulation Assessment (HRA) must be carried out to test if a plan or project proposal could significantly harm the designated features of a European site (including Special Areas of Conservation, Special Protection Areas or Ramsar sites).

5.14 As there are no European sites within the borough, or within reasonable distance, it is unlikely that proposals will have any significant impacts on a site. However, HRAs are still required where there is the potential to have an impact – including new strategic plans (like the Local Plan). The HRA for the Local Plan 2021-2037 confirmed no significant impacts on any HRAs were expected.

5.15 Further details on HRA requirements can be found from Defra.

5.16 Details of any SAs, SEAs, or HRAs will be provided by the Council alongside the relevant plan or strategy.

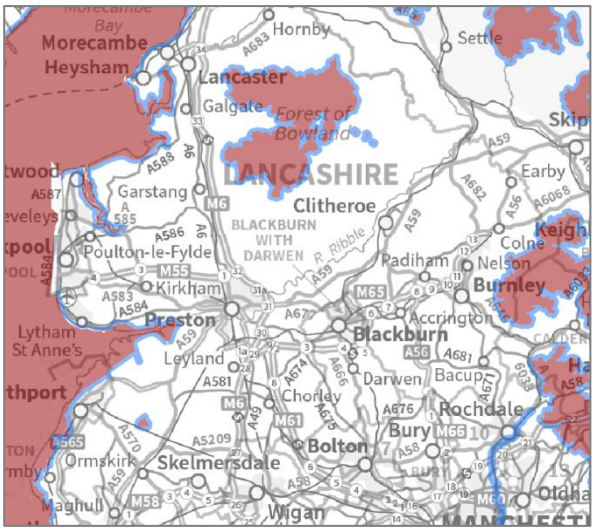


Figure 4: European Sites (May 2021) / *Source: Defra, 2021 (link)*

Biodiversity Net Gain

5.17 The Environment Act introduces a mandatory requirement, from January 2024, for most new development to deliver a minimum of 10% biodiversity net gain. This is reflected in Policy CP6: Natural Environment of the Council's Local Plan.

5.18 Details of BNG secured, and delivered, will be reported through our Biodiversity Reports, and the Annual Monitoring Report.

5.19 The Council have a range of land and buildings in their ownership, and there are opportunities to enhance biodiversity on these sites. The Council are currently exploring the use of certain District Wildlife Sites, Environmental Opportunity Areas and Green Infrastructure sites to support the delivery of off-site BNG. Further opportunities may be presented through the Estates team, Property Management, Environment team, as well as Education and Public Health services.

6.0 FUTURE ACTIONS

6.1 The actions and objectives in this “first consideration” will be used in the preparation of the Council’s first biodiversity report, due January 2026. The identified actions and objectives are, however, intended to be a live document, able to be updated at any time and so may change in advance of the first biodiversity report in 2026. Future biodiversity reports will therefore draw upon the latest available list of identified actions.

6.2 The Government have produced guidance on how to structure the biodiversity report. It must contain three sections detailing policies and objectives set, and actions completed, other strategies, and future actions. It must also contain information on BNG. There are further five optional sections that can also be provided. This information will be provided in the Council’s first biodiversity report in 2026.

APPENDIX A: OBJECTIVES AND ACTION PLAN

OBJECTIVE 1: Embed biodiversity in leadership and decision making.

We will:

Theme	Actions	Relevant Strategy	Lead Service	Timescales
Develop Policy, Strategy and Guidance on Biodiversity	Adopt and implement the new Local Plan, which includes policies relating to BNG, habitat protections, and access to nature	Local Plan 2021-2037	Growth & Development	January 2024
	Prepare and publish a BNG Planning Advisory Note, providing guidance for planning applicants on BNG	Biodiversity Net Gain Planning Advisory Note	Growth & Development	February 2024
	Prepare and publish the Climate Impact Framework SPD, and include guidance on designing biodiversity in reference to climate mitigation and adaptation	Climate Impact Framework SPD	Growth & Development	February 2024
	Prepare and publish a Natural Environment SPD, providing detailed guidance on planning requirements relating to nature, including its conservation and enhancement	Natural Environment SPD	Growth & Development	2024
	Actively engage with LCC to support the production of the Lancashire LNRS	Lancashire Local Nature Recovery Strategy	Growth & Development	2024/2025
	Prepare and publish the Tree and Woodland Strategy	Tree and Woodland Strategy (TAWS)	Environment	2024
	Include guidance on how to integrate biodiversity into flood mitigation solutions	Drainage Guidance	Highways & Drainage	At review point

	Prepare and publish the Low Carbon and Renewable Energy SPD, including guidance on how schemes can integrate with biodiversity enhancements	Low Carbon and Renewable Energy SPD	Growth & Development	2025
	Reflect importance of access to nature in health strategies, including the Mental Health Strategy and Health and Welbeing Strategy	Mental Health Strategy Health & Wellbeing Strategy	Health	At review points
	Undertake a Natural Flood Management Study	Climate Emergency Action Plan	River Ribbles Trust Drainage	March 2025

There are opportunities to:

Theme	Actions	Comments
Establish a corporate approach to enhancing biodiversity within the borough	Declare a Biodiversity Emergency to give the biodiversity duties an enhanced focus within the Council	The Council have a legal duty to conserve and enhance nature, set within the context of a national biodiversity emergency. The biodiversity emergency is closely linked to the climate emergency, which the Council are already committed to addressing through the Climate Emergency Action Plan and corporate strategy. Measures such as declaring a biodiversity emergency, could help support the council's commitments to carbon neutrality by 2030. Devising a clear vision and strategy to lead the recovery of nature within the borough, can help deliver positive environmental and climatic change. However, this is largely dependent on Council priorities and resources. Development of such key strategies would, for example, need a dedicated ecological resource.
	Appoint a Member Champion for Biodiversity	
	Develop a Vision for a nature positive borough by 2030 / 2042, accompanied by a Council-wide strategy for the conservation and enhancement of nature to deliver the Vision	

OBJECTIVE 2: Improve our evidence base.

We will:

Theme	Actions	Relevant Strategy	Lead Service	Timescales
Improve our evidence base and monitoring	Develop publicly available interactive mapping to inform biodiversity strategies.	BNG PAN LNRS	Growth & Development	February 2024 / Ongoing
	Work with partners to establish a more thorough and detailed evidence base of the biodiversity in the borough, including habitats. Where appropriate, map this to other data, for example deprivation data, to identify priority intervention areas.	All	Growth & Development External Partners	Ongoing
	Monitor changes to tree canopy cover, in line with the TAWS Action Plan	Tree and Woodland Strategy	Environment	Ongoing
	Procure bespoke systems to record and monitor BNG delivery from new developments	BNG	Growth & Development	Spring / Summer 2024
Understand the availability and suitability of Council owned land for nature conservation and enhancement	Commission studies to assess the potential for identified council-owned sites to deliver improvements to ecological habitats, including their use for off-site BNG opportunities (sale of units).	Off-site BNG	Growth & Development	Studies commenced Autumn 2024; results expected Spring 2025 Ongoing

OBJECTIVE 3: Measurably increase biodiversity and the extent of land and water in positive management.

We will:

Theme	Actions	Relevant Strategy	Lead Service	Timescales
Support the delivery of BNG as part of new development	Ensure every relevant planning application delivers BNG	Requirement of the Environment Act 2021	Growth & Development	Ongoing
	Monitor and report on the delivery of BNG	Requirement of the Environment Act 2021	Growth & Development	Ongoing
	In making any public land available for off-site BNG opportunities, prioritise this to DWS sites at risk of de-designation	BNG Off-site	Growth & Development	Ongoing
	Explore mechanisms for BNG delivery on council-owned sites – e.g., specialist vehicles and habitat banks	BNG Off-site	Growth & Development	Ongoing
	Monitor opportunities for additional green finance and pursue/promote these as appropriate	BNG Off-site	Growth & Development	Ongoing
Work to deliver new habitats and enhance existing habitats	Plant new trees, woodland and hedgerows in line with the targets set through the CEAP	Climate Emergency Action Plan	Growth & Development Environment	Ongoing
	Pursue funding to support the LCC 'Treescapes' team, who assist in the identification and delivery of sites for tree planting	Climate Emergency Action Plan Tree and Woodland Strategy	Growth & Development Environment	2024

	Manage tree disease	Tree and Woodland Strategy	Environment	Ongoing
	Develop management plans for woodlands within the borough	Tree and Woodland Strategy	Environment	Ongoing
	Draw up and implement peatland restoration schemes for Darwen Moor and Aushaw Moss	Climate Emergency Action Plan	Lancashire Peat Partnership Growth & Development Environment Drainage	2024 onwards
	Work to increase the number of local sites in positive conservation management in the borough	National Indicator	Growth & Development Environment External Partners	Ongoing
Consider how Council owned land and buildings can better support biodiversity	Adjust cutting regimes of highway verges where there is scope for the improvement and management of nature	-	Environment	Ongoing
	Phase out the use of peat compost in Council planting schemes	-	Environment	Ongoing
	Where appropriate, plant a diverse range of native plant species on council land.	-	Environment	Ongoing

There are opportunities to:

Theme	Actions	Comments
Consider how Council owned land and buildings can better support biodiversity	Produce a toolkit of ecological interventions for highways, infrastructure and regeneration projects that are easy to deliver and lost cost	These actions are largely dependent on Council resources.
	Consider what biodiversity features can be included in existing Council buildings - e.g. bat and bird boxes	
	Consider how any Council developed solar farms can deliver bio-solar farms (biodiversity alongside PV panels)	

OBJECTIVE 4: Promote Education and Awareness.

There are opportunities to:

Theme	Actions	Comments
Within the Council	Develop officer and member training on the biodiversity emergency and steps that can be taken to support nature and its recovery	These actions are largely dependent on Council resources. Development of these suggested actions would, for example, need a dedicated ecological expertise to prepare and disseminate guidance, and to actively work with communities. Community involvement offers the Council key opportunities to provide voluntary (unpaid) resources for litter picking, controlling invasive species, maintaining sites and tree-planting. It may also support citizen science, for example species counts.
	Use the intranet to communicate actions that can be taken to support biodiversity	
Within our communities	Expand adult learning courses to include gardening for biodiversity	
	Provide opportunities to improve knowledge and awareness of biodiversity within the communities – for example by making information available on the Intranet and through social media campaigns	
	Identify and support opportunities for community involvement - e.g. litter picking, 'balsam bashing', tree-planting	
	Use 'citizen science' to collect data and monitor interventions	
	Develop and enhance interpretative materials for nature sites – eg DWSs	
	Plan annual biodiversity campaigns / 'themes' - eg supporting pollinators	
	Work with schools to promote the development of 'wild areas for biodiversity'	
	Pilot 'Natural Paths' environmental resilience programme	

OBJECTIVE 5: Promote the importance of biodiversity to Health and Wellbeing

There are opportunities to:

Theme	Actions	Comments
Integrate biodiversity within health and wellbeing strategies	Maximise opportunities to prescribing social access to nature / nature based solutions	These actions are largely dependent on Council resources, and external support, such as that from the Food Resilience Alliance.
	Encourage food producing tree planting	
	Consider nature within the food growing alliance / sustainable food	