

## Biodiversity Duty Statement

### Preliminary Consideration Report

#### 1. INTRODUCTION

The purpose of this document is to outline the Council's aspirations and approach to conserving and enhancing biodiversity in the Borough, in line with its duty to formally demonstrate activity.

#### 2. WHAT IS THE BIODIVERSITY DUTY

The Biodiversity Duty requires public authorities to take steps for conserving and enhancing biodiversity in England.

When originally enacted, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 required that 'every public authority must, in exercising its functions, have regard, as far as is consistent with the proper exercise of these functions, to the purpose of conserving biodiversity'. Section 102 ('General duty to conserve and enhance biodiversity') and Section 103 ('Biodiversity reports') of the Environment Act 2021 then amended Section 40 of the NERC, to strengthen the previous requirement by inserting the need to also **enhance** (rather than just conserve) biodiversity in England.

The actions public authorities take for biodiversity will contribute to the achievement of national goals and targets for biodiversity. The UK Government's Environmental Improvement Plan (EIP 2023) provides the strategic context and targets that the Biodiversity Duty aims to deliver and sets out the Government's plans for improving the natural environment, which are:

By 2030, to halt the decline in species abundance and protect at least 30% of UK land to support nature recovery. Then, by 2042, the Government has further committed to:

- Increase species abundance by at least 10% from 2030, surpassing 2022 levels.
- Restore or create at least 500,000 ha of wildlife-rich habitats.
- Reduce the risk of species extinction.
- Restore 75% of the one million hectares of terrestrial and freshwater protected sites to favourable condition.

Public authorities are expected to align their biodiversity policies, objectives and actions with the commitments of the EIP.

## Biodiversity Duty

Government guidance on ‘complying with the biodiversity duty’ was published in May 2023. In meeting the Biodiversity Duty, public authorities who operate in England must:

- **Consider** what actions they can take to conserve and enhance biodiversity (i.e. the first consideration).
- **Agree** policies and specific objectives based on this consideration.
- **Act** to deliver these policies and achieve the objectives specified; and report on them.

The enhanced biodiversity duty requires formal demonstration of compliance. The Council is required by the Act to need to have completed their first consideration of the actions that they can take to further the biodiversity objective (to conserve and enhance biodiversity) by 1 January 2024. This report addresses the initial consideration in Step 1 and collates information on our approach.

The council is required to publish a ‘biodiversity report’ that outlines the steps taken to conserve and enhance biodiversity, the results achieved, and the actions planned for the future. The first biodiversity report needs to cover the period to the 1 January 2026 and must be published no later than 26 March 2026. After this, the end date for each reporting period must be within 5 years of the date of the last reporting period (i.e. by the 1 January 2031). The purpose of these later reports are to communicate how the council is working to improve the environment; and to share best practice.

The Government has published guidance on ‘Reporting your biodiversity duty actions’. This includes information on when to publish a biodiversity report and what to include. By law, the report must include:

- a summary of the action you’ve taken to comply with the biodiversity duty
- how you plan to comply with the biodiversity duty in the next reporting period
- any other information you consider appropriate Reports from local planning authorities must also include:
- the actions you’ve carried out to meet biodiversity net gain obligations
- details of biodiversity net gains resulting, or expected to result, from biodiversity gain plans you’ve approved
- how you plan to meet biodiversity net gain obligations in the next reporting period

### 3. OUR APPROACH

The Councils first consideration of the Biodiversity Duty is set out in this document.

The information contained within this first consideration has been collated using feedback from officers working across the Council’s functions, and in parallel with a review of existing actions.

### 3.1 County and Local Strategies

The Council's work aligns with:

- The Kent Biodiversity Strategy.
- The Local Nature Recovery Strategy (LNRS).
- National and regional environmental and climate objectives.

The table below summarises the Council's current and planned actions that contribute towards the Biodiversity Duty and future actions which will be considered going forward. Inclusion of any future actions at this stage does not mean that any commitment has been made to take action, it simply signals that these are areas that will need to be reviewed as part of the process of agreeing an appropriate way forward.

### 3.2 Strategic Direction

- **Borough Plan 2024-2028:** Focus on People, Planet and Place, with Biodiversity considerations and aspirations embedded throughout.
- **Local Plan 2030-2042:** Enhanced biodiversity objectives, including Biodiversity Net Gain (BNG), green infrastructure, and wildlife corridors.
- **Biodiversity Task and Finish Group:** Established with Officers and Councillors to coordinate aspirations and actions.
- **Landscape Strategy in Development:** A holistic approach addressing biodiversity, active travel, community engagement, and green infrastructure. This alongside the Energy Strategy 2025 and emerging Adaptation Strategy forms the Council's climate framework.

### 3.3 Evidence Base and Analysis

- Investment in biodiversity data collection and analysis.
- **Species-Focused Biodiversity Baseline Study** for the Borough underway.
- **Audits of Open Spaces** to identify enhancement opportunities.
- Review of Green Corridor ownership and opportunities underway.

### 3.4 Partnership and Collaboration

- Active role in Kent County Council's Local Nature Recovery Strategy (LNRS) formulation.
- Collaborative workshops with the British Ecological Society (Ecosystem Disservices & Urban Ecology).
- Cross-departmental collaboration group of Officers, linking biodiversity with climate, sustainability, and community projects.
- Platform development for collaborative information sharing.
- Development of a **Conservation Colab Forum** to engage with community groups and conservation organisations.

## 4. ACTIONS AND ASPIRATIONS

### 4.1 Habitat Creation and Enhancement

- Extensive **tree planting** programmes (orchard extension and creation, Miyawaki planting, woodland edge, parkland, legacy trees).
- **Meadow creation** and associated community engagement/education.
- Review of landscape management schedules and techniques to optimise biodiversity outcomes.
- Implementation of **pro-pollinator planting** in place of unsustainable bedding plants.

#### 4.2 Community Engagement and Education

- Development of **Ashford Parks Foundation**: Citizen science programmes, ongoing biodiversity monitoring, and volunteer programmes in strategic parks.
- Community-led habitat enhancement projects.
- Engagement with schools and residents to support biodiversity awareness.

#### 4.3 Skills and Workforce Development

- Upskilling Aspire maintenance teams in environmental management techniques.
- Exploring opportunities for biodiversity-focused **apprenticeships** and environmental jobs to boost local skills and capability.

#### 4.4 Financing and Resourcing

- Exploring opportunities for **green financing** and **habitat banks**.
- Applications under development for biodiversity enhancement funding (e.g. Nature Towns and Cities).

#### 4.5 Policy and Development Management

- Leading on cross-authority **Design Codes**, embedding landscape and nature considerations.
- Reviewing assessment criteria and guidance for developments to promote functional biodiversity enhancement in line with the Kent LNRS principle of “**Bigger, Better, More and Joined up.**”
- Reviewing opportunities to protect and designate **Local Wildlife Sites** and secure open spaces.
- Periodic public reporting on biodiversity actions and achievements.

## 5. CONCLUSION

Ashford Borough Council is proactively embedded biodiversity considerations into policy, practice, and community engagement. The Council has established a strong foundation for biodiversity enhancement through data-led decision making, collaboration, and direct action. Future work will develop and consolidate these emerging workstreams and ensure delivery against national, county, and borough-level biodiversity targets.

The Council remains committed to fulfilling its statutory biodiversity duty and contributing to the national ambition to halt nature’s decline by 2030, while building resilience and connectivity for future generations.

Inline with our obligations under the duty the council will publish a further Biodiversity report in March 2026 outlining recent activities and outcomes and planned actions to 2030.

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