



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
18 JUNE 2024**

**MALDON DISTRICT BIODIVERSITY – FIRST CONSIDERATION 2024 - 2026**

**1. PURPOSE OF THE REPORT**

- 1.1 To consider and approve the Maldon District Biodiversity Report – First Consideration prepared to comply with new duties in the Environment Act 2021.

**2. RECOMMENDATION**

That the Maldon District Biodiversity Report – First Consideration 2024-2026 (**APPENDIX 1**) be approved.

**3. SUMMARY OF KEY ISSUES**

**3.1 Background**

- 3.1.1 The Environment Act 2021 inserted S.40A into the Natural Environment and Rural Communities Act 2006 to create a new proactive duty for public authorities to “...from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective”. This duty is a corporate responsibility and covers the actions and decisions of various services.
- 3.1.2 National guidance summarises what, under the legislation, public authorities must do to comply. This is to:
- consider what you can do to conserve and enhance biodiversity.
  - agree policies and specific objectives based on your consideration.
  - act to deliver your policies and achieve your objectives.
- 3.1.3 For compliance with the Act, public authorities must evidence the action they take by publishing a ‘Biodiversity Report’ which must also report on the outcomes of the mandatory Biodiversity Net Gain initiative delivered through the planning system. The first report must not cover a period longer than three years and subsequent reports can cover no longer than five years but must run consecutively.

### 3.2 **Maldon District Biodiversity Report: First Consideration 2024-2026**

3.2.1 The Maldon District Biodiversity Report: First Consideration (**APPENDIX 1**) is split into three sections covering:

- **Section 1** – Describing the current policies and objectives that have been set to meet the biodiversity duty and the actions Maldon District Council (MDC) has completed, either alone, or in partnership with others that benefits biodiversity.
- **Section 2** – Describing how MDC considers or connects to the preparation or delivery of other strategies including Local Nature Recovery Strategies.
- **Section 3** – Describing any known future actions to fulfil its biodiversity duty over the 5 years following the end of this reporting period.

## 4. **CONCLUSION**

4.1 The Maldon District Biodiversity Report: First Consideration is the first baseline report for future biodiversity duty monitoring compiled in accordance with legislation and guidance.

## 5. **IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027**

### 5.1 **Supporting our communities**

5.1.1 Biodiversity is a topic which can encourage and inspire local community action and projects. Future Biodiversity Reports will be able to reflect on this activity in the District.

### 5.2 **Enhancing and connecting our place**

5.2.1 Biodiversity projects and associated green infrastructure can ensure that our built and natural environment co-exist and complement each other. Future Biodiversity Reports will be able to reflect on this activity in the District.

### 5.3 **A greener future**

5.3.1 Biodiversity projects and associated green infrastructure can ensure that our built and natural environment co-exist and complement each other. Future Biodiversity Reports will be able to reflect on this activity in the district.

### 5.4 **Provide good quality services.**

5.4.1 Furthering biodiversity through the Council's functions is a legal duty and one of the markers of providing good quality services. Future Biodiversity Reports will be able to reflect on this activity across services.

## 6. **IMPLICATIONS**

- (i) **Impact on Customers** – There is no impact on customers from publishing the Biodiversity Report: First Consideration 2024-2026.

- (ii) **Impact on Equalities** – There is no impact of equalities from publishing the Biodiversity Report: First Consideration 2024-2026.
- (iii) **Impact on Risk (including Fraud implications)** – The approval of the Biodiversity Report: First Consideration 2024-2026 ensures the Council complies with its new duties in the Natural Environment and Countryside Act 2006.
- (iv) **Impact on Resources (financial)** – There are no financial implications from publishing the Biodiversity Report: First Consideration 2024-2026; however, actions to further biodiversity across all relevant council services may have a cost implication which will need to be picked-up as part of the service or project budget setting process in future years.
- (v) **Impact on Resources (human)** – There are no human resource implications from publishing the Biodiversity Report: First Consideration 2024-2026; however, actions to further biodiversity across all relevant council services may impact on staff workloads and work priorities in future years.

Background Papers: None.

Enquiries to: Assistant Directors of Service Delivery