

FIRST CONSIDERATION REPORT ON THE BIODIVERSITY DUTY

January 2024

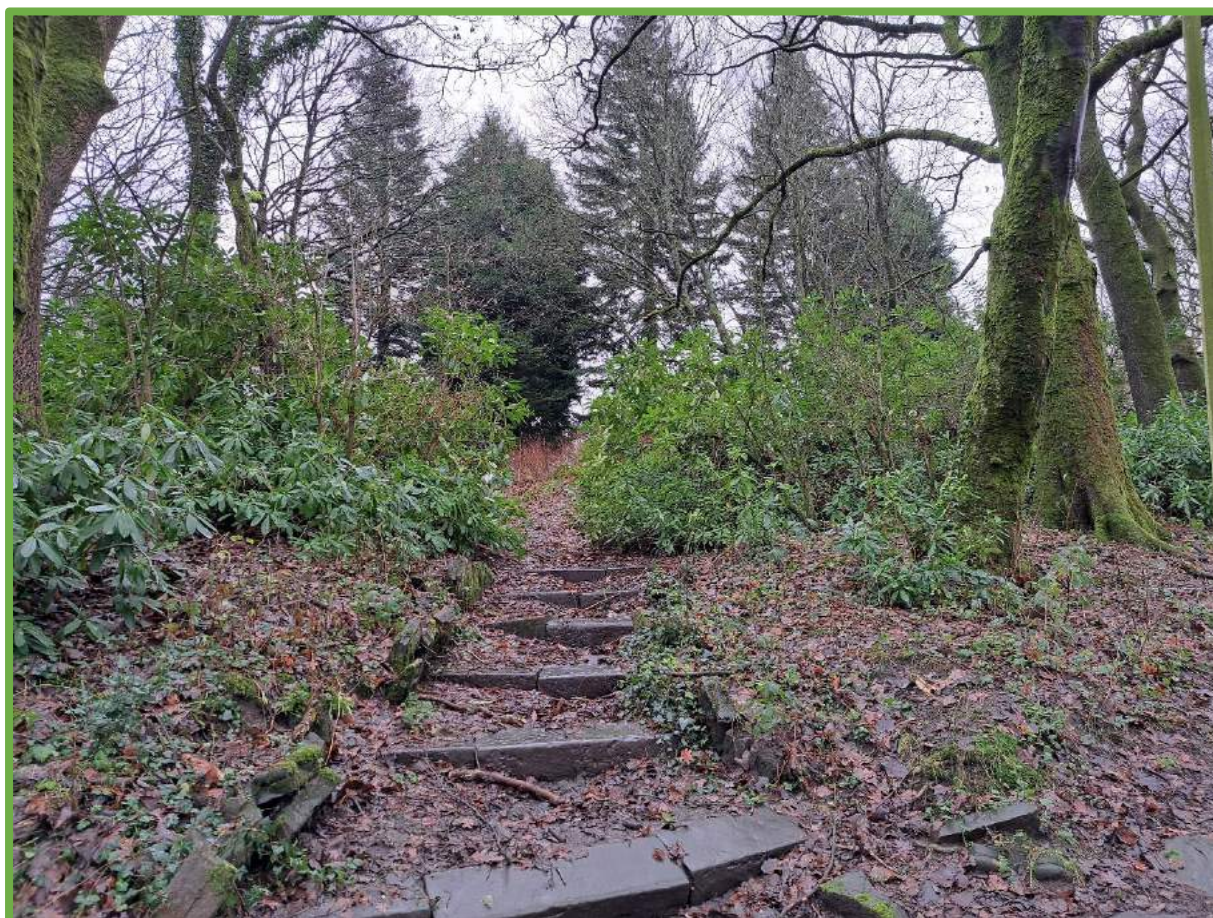


Table of Contents

Introduction	3
Section 1: Information about Rossendale.....	3
1.1 Rossendale Context	3
1.2 Rossendale Borough Council, its functions, size, governance and management structure.....	6
1.3 How Rossendale Borough Council can affect biodiversity, both positively and negatively	6
Section 2: Rossendale Borough Council’s policies, objectives and actions	9
Section 3: How we have considered other strategies.....	10
Section 4: Our future actions.....	11
Conclusion	11
Appendix A – Draft Table Of Potential Biodiversity Actions.....	12

Table of Figures

Figure 1 - Condition status of Site of Special Scientific Interest (2023).....	4
Figure 2 - Biodiversity Assets in Rossendale	5

Introduction

In England, public authorities' duty towards the protection and enhancement of biodiversity has been strengthened by Section 102 of the Environment Act 2021. Government guidance "Complying with the biodiversity duty" issued 17 May 2003 by DEFRA notes that all public authorities must:

- a) consider what they can do to conserve and enhance biodiversity;
- b) agree policies and specific objectives based on this consideration; and
- c) act to deliver these policies and achieve the objectives.

Public authorities are to have completed their first consideration of what actions to take for biodiversity by 1 January 2024. Policies and objectives should be agreed as soon as possible after this.

This report sets out the approach Rossendale Borough Council is proposing to undertake to protect and enhance biodiversity throughout its corporate strategies, objectives, actions and continued operations. An officer steering group was established in 2023 to consider actions to take to improve biodiversity and has prepared this first consideration report.

The structure of this report has considered the DEFRA guidance on 'Reporting your biodiversity duty actions'¹. The first section will provide information about Rossendale and its context, in particular regarding biodiversity, as well as information about the Council, its functions and governance and how its activities can affect biodiversity. The second section will consider the Council's existing policies, objectives and actions whilst the third section will look at other strategies already in place or in preparation. Finally, the fourth section will look at potential future actions.

Section 1: Information about Rossendale

1.1 Rossendale Context

Rossendale is a district in the south-east of Lancashire, with a population of about 71,000 people, living in 32,600 dwellings. It is one of the smallest boroughs in Lancashire with an area of 138 square kilometres. Rossendale borders with Greater Manchester and, although not served by a commuter railway network, the Borough has good links with the M66 to the south towards Greater Manchester and with the M65 to the north. It also borders the West Yorkshire district of Calderdale.

As described in the Rossendale Local Plan, "Rossendale is defined by a series of inter-locking valleys, which dissect open moorland, and closely linked small towns line the valley floors. This creates a main urban core from Haslingden through to Whitworth, interspersed with and surrounded by countryside, dictated by geology and

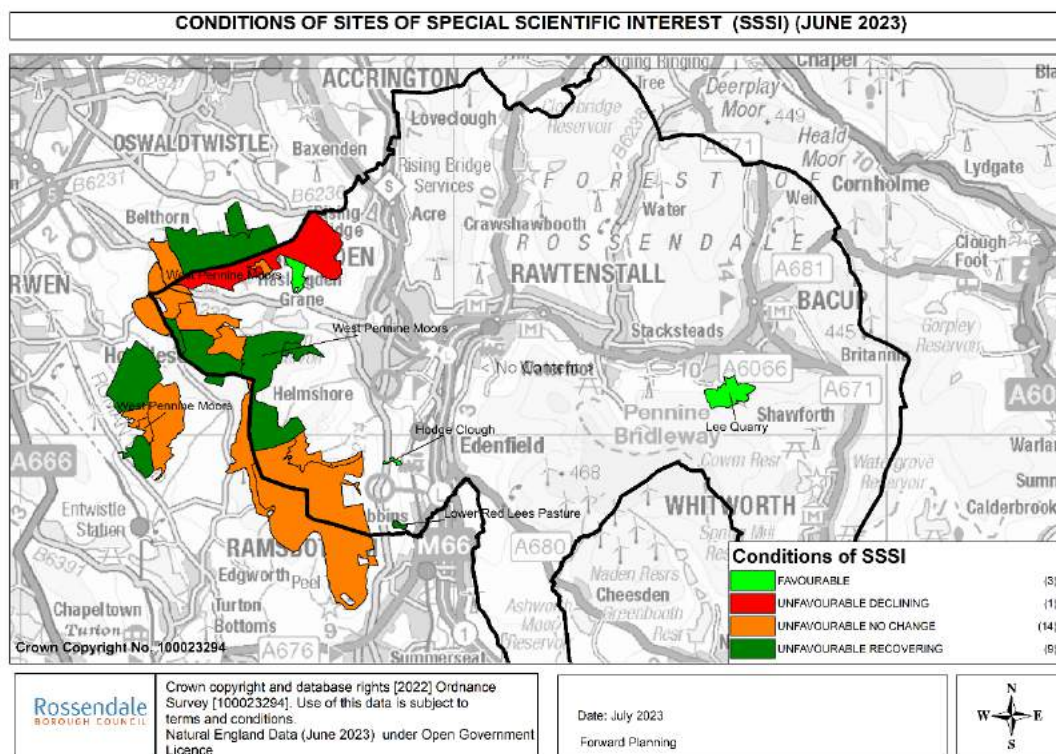
¹ DEFRA Guidance, Reporting your biodiversity duty actions, May 2023 - <https://www.gov.uk/guidance/reporting-your-biodiversity-duty-actions>

topography. This countryside forms part of the broader South Pennine Landscape Character Area, which stretches from Chorley through to Bradford. Rossendale contains some priority habitats including in particular blanket bog”

About 12% of the Borough is identified as urban in the Local Plan with the remaining land being countryside. A portion of the countryside is designated as Green Belt and covers over 20% of the Borough.

In terms of biodiversity assets, the Borough comprises 4 Sites of Special Scientific Interest (SSSIs) namely Lower Red Lees Pasture, Lee Quarry, Hodge Clough and the West Pennine Moors. Overall, 25% of the SSSI units within (or partly within) the Borough are in favourable conditions and 75% are in unfavourable conditions. Rossendale also has a Local Nature Reserve, Healey Dell, situated in Whitworth and overlapping with the metropolitan Borough of Rochdale.

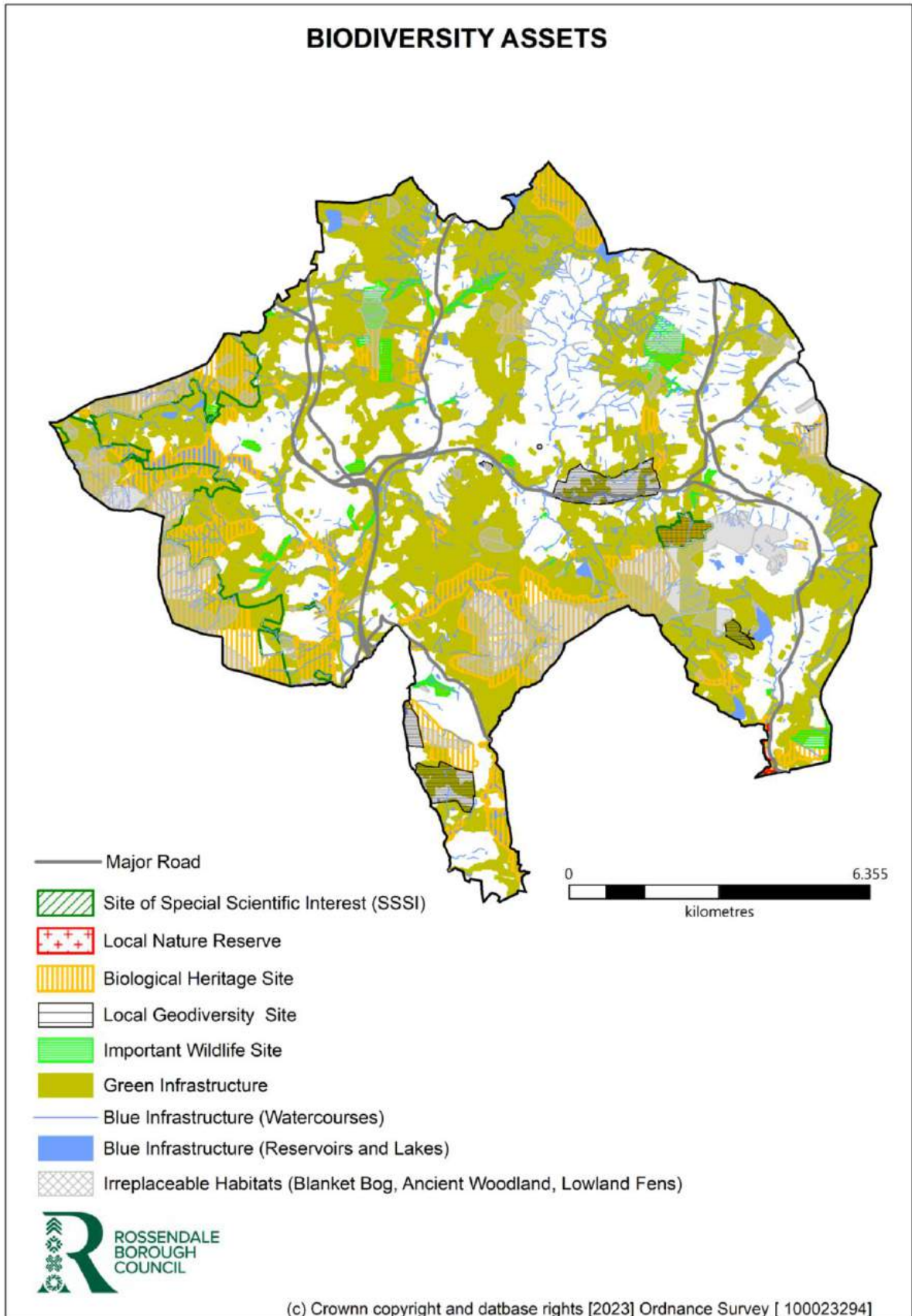
Figure 1 - Condition status of Site of Special Scientific Interest (2023)



Rossendale is also home to 52 Biological Heritage Sites of county importance located either wholly or partly within its boundary. In addition, there are 34 Important Wildlife Sites of district significance. A further 8 sites are also designated as Local Geodiversity Sites of county importance for their particular geological characteristics.

It is important to note that the natural environment of Rossendale contains irreplaceable habitats, which would be very difficult and/or take a significant time to restore, recreate or replace once destroyed. Such irreplaceable habitats include blanket bogs, ancient woodlands, ancient and veteran trees as well as lowland fens. Please see Figure 2 overleaf for an overview of biodiversity assets in Rossendale.

Figure 2 - Biodiversity Assets in Rossendale



1.2 Rossendale Borough Council, its functions, size, governance and management structure

The Council provides services to residents and businesses including waste collection, planning and building control services, licensing and public health protection housing options and elections. It also manages and maintains burial grounds, open spaces and playing pitches,. The Council employs about 170 people across 16 teams. There are currently 36 Councillors serving 14 wards but subject to parliamentary approval, this is likely to change on May 2024 to 30 Councillors serving 10 wards.

The governance of the Council is outlined in its Constitution which is reviewed annually and publicly available on its website. The Constitution provides the framework to the decision making process which is undertaken by Councillors during Committee meetings or which is delegated to Officers according to scheme of delegations.

1.3 How Rossendale Borough Council can affect biodiversity, both positively and negatively

In the section below, some of the activities undertaken by the Council that can affect biodiversity, either positively or negatively, have been outlined.

Land and estate management

The Green Spaces Team manages the 'maintained estate' of the Council comprising parks and cemeteries, play areas, amenity grass and sports pitches. Whilst the Properties Service Team looks after for the 'non-maintained estate'. The management of the Council's estate can have positive or negative impacts on biodiversity.

The Green Spaces Team undertake works to remove and reduce the spread of invasive non-native species and in particular Japanese Knotweed. The register of sites where Japanese Knotweed has been discovered and treated as of November 2023 comprised 72 sites. This has a positive impact on biodiversity in the Borough.

A wildflower trial rewilding project started in summer 2023 and will continue in 2024 across 14 sites within the Borough. These sites are not to be mown during the summer months and will have two 'cut and collects' later in the season. These two cuts remove the vegetation from the site and reduce the nutrient value in the soil. Wildflowers have a greater chance to out-compete grasses in these conditions. This is a positive action to enhance biodiversity. The Council's has pledged to plant 16,000 trees within the Borough in suitable locations.

The Green Spaces Tree Team manages trees within parks, cemeteries and play areas and other maintained sites. Subject to approval for trees protected by a Tree Preservation Order or following the submission of a notice for trees located within a Conservation Area, the team can remove trees causing a risk to public safety or properties, for example if they are at greater risk of falling. A report to Cabinet on Woodland Management, estimates that almost 3,000 Ash trees could affect footpaths, buildings or highways on maintained and unmaintained land. Considering 80% of those trees could be affected by Ash dieback this would amount to 2,238 trees needing

to be effectively managed and potentially removed. This could have a negative impact on biodiversity if those trees are not replaced by native species. It is also worth considering retention of the dead wood on-site to provide habitat for invertebrates.

Biosafety measures and good practices carried out by the Green Spaces Team are also important to avoid the spread of plant diseases and invasive non-native species across various sites in the Borough which benefit biodiversity.

The Green Spaces Team have reduced its use of pesticides and are using peat-free soil to manage open spaces which is another beneficial action to help the preservation of biodiversity in the Borough.

Planning and development decisions

The grant of planning permissions for new developments can have significant impacts on biodiversity. In line with the National Planning Policy Framework, the Local Plan for Rossendale (2019 to 2036) seeks to ensure that for all proposals, “there is no adverse impact to the natural environment, biodiversity and green infrastructure unless suitable mitigation measures are proposed and the Council will seek biodiversity net gain consistent with the current national policy”.

The statutory biodiversity net gain framework was introduced on 12th February 2024 for major development applications and will be extended on 2nd April 2024 for non-major development applications. Developments subject to the general biodiversity net gain condition must provide at least a 10% biodiversity net gain post-development. Gains will be monitored in the Authority Monitoring Reports and Biodiversity Reports.

Advice or grants given by the Council

The Communities Team provide grants to community groups to help them deliver local projects. The potential biodiversity impacts of projects could be a consideration for the award of grants.

Raising awareness within the Community

The Operations Team have encouraged the recycling of waste household products during its pilot “Check before you chuck” campaign. The campaign led to a 15% increase in the recycling of glass, plastic and tin and 11% increase in paper and cardboard recycling. In addition, the campaign is thought to have reduced general waste to landfill by 6%. One direct benefit for biodiversity ties in with the reduction of land use required for landfill purposes. Other indirect benefits include the energy efficiency gains and carbon footprint reduction of reusing materials which mitigates further climate change. Climate change has been linked to biodiversity loss.

The Council, in partnership with Rochdale Metropolitan District Council, ecologists and a wind farm management company, manages and advertises the Scout Moor Habitat Enhancement Fund which provides small grants to landowners and farmers in the South Pennines to deliver upland and moorland fringe habitats improvements. Further information about the Fund is available at https://gmlrc.org/scout_moor_habitat_enhancement_fund/.

How the Council's operations affect the environment

The waste collection service, not only through routine bin collection, but also through cleaning and taking enforcement action against illegal fly-tipping, is a crucial service to protect the environment and biodiversity.

The Economic Development Team is leading several town centre regeneration projects such as the Bacup High Street Heritage Action Zone and the National Lottery Heritage Fund Big Lamp Project in Haslingden. Other projects include improvements to Bacup and Haslingden Markets, an action plan for Waterfoot Local Centre and a masterplan for Rawtenstall Town Centre. The consideration of biodiversity is important in relation to protected species such as bats and to introduce natural habitats where possible within the district's towns.



Whitaker Park. Source credit: Forward Planning

Section 2: Rossendale Borough Council's policies, objectives and actions

Some existing relevant Council policies and strategies are outlined below.

Our Place, Our Plan (2021-2025)

The vision of the Corporate Plan is to “have a thriving economy, built around our changing town centres, creating a quality environment for all and improving the life chances of all those living and working in our borough”. The plan has four strategic priority areas, one of them being to deliver a high quality environment, including the creation of a new Rossendale Forest.

Rossendale Local Plan (2019 to 2036)

The Local Plan contains policies seeking to protect and enhance biodiversity. For example, the Strategic Policy ENV1 strives to achieve high quality development in the Borough highlighting that the Council will seek biodiversity net gain consistent with the current national policy. In addition, Policy ENV4 on Biodiversity, Geodiversity and Ecological Networks encourages all developments to protect and enhance biodiversity and to quantify any net gains.

Climate Change Strategy

The Council declared a “Climate Emergency” in September 2019 and pledged to take actions. As a result a Climate Change Strategy for 2020-2030 was produced focussing on efficient energy consumption, sustainable transport, waste and the wider environment, including enhancing biodiversity and working together in partnership.

Drawing on its Local Plan and Climate Strategy, the Council produced Climate Change Supplementary Planning Document in December 2022. This document aims to guide new developments towards creating resilient places to the effect of Climate Change and schemes that can reduce carbon footprint and mitigate future Climate Change.



Section 3: How we have considered other strategies

Environmental Improvement Plan 1 (EIP 2023)

The Environmental Improvement Plan1 (EIP23), published in January 2023, sets out government plans for significantly improving the natural environment. By 2030, the government has committed to: halt the decline in species abundance; and protect 30% of UK land. By 2042, the government has committed to: increase species abundance by at least 10% from 2030, surpassing 2022 levels; restore or create at least 500,000 ha of a range of wildlife rich habitats; reduce the risk of species extinction; and restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term. Action that Rossendale Borough Council takes for biodiversity will contribute to the achievement of national goals and targets on biodiversity.

Local Nature Recovery Strategies

Rossendale Borough Council is supporting Lancashire County Council (LCC) in preparing the Local Nature Recovery Strategy for Lancashire. We have shared information such as our Local Plan and Policies Map including geospatial data for non-statutory ecological designations such as Biological Heritage Sites, Important Wildlife Sites, Local Geodiversity Sites, Green Infrastructure. Evidence base studies used to inform the preparation of the Local Plan were also brought to the attention of LCC. In parallel, Forward Planning Officers are attending meetings with LCC including a steering group meeting that has an oversight and management functions to guide the strategic direction of the Strategy. Officers have attended include a stakeholder mapping event to identify potential interested parties to the Lancashire LNRS. As an action from this meeting, an email to various stakeholders of the Rossendale Local Plan was sent to inform them of the emerging LNRS for Lancashire and to provide information on how to be involved in its production. Forward Planning Officers are expected to attend Working Group Meetings on key habitats such Peatland and 'Trees and Woodland'.

Protected site strategies and species conservation strategies

It is our understanding that protected site and species conservation strategies are to be produced by Natural England and will provide a strategic approach to meet the specific needs of the most precious species and places.

Section 4: Our future actions

Please see Appendix A showing the table of potential biodiversity actions the Council is considering to undertake for the period 2024 – 2026.

Conclusion

The monitoring of the proposed actions will be updated and reported on within subsequent biodiversity reports. The first one should be published in March 2026. Other indicators on the state of biodiversity in Rossendale will also be reported through the Authority Monitoring Reports annually.

Appendix A – Draft Table of Potential Biodiversity Actions

FUNCTION	OBJECTIVES FOR CONSIDERATION	OPPORTUNITIES	TIMEFRAME	LEAD
PLANNING AND DEVELOPMENT	Protecting and seeking biodiversity net gain through planning and development, including regeneration projects	Embedding biodiversity enhancement in local planning policies and requiring biodiversity net gains in new development proposals in accordance with national and local planning policies	On-going	Head of Planning
	Protecting and improving biodiversity	Assisting Lancashire County Council in preparing the Local Nature Recovery Strategy	On-going	Head of Planning

FUNCTION	OBJECTIVES FOR CONSIDERATION	OPPORTUNITIES	TIMEFRAME	LEAD
LAND AND ESTATE MANAGEMENT	Protecting and enhancing biodiversity through the management of the Council's land and properties	Improving biodiversity through the management of maintained land (natural play areas, grass verges, parks, cemeteries and other open spaces) including rewilding opportunities, tree planting, reducing the spread of invasive non-native species and plant diseases, making sites available for off-site biodiversity net gain, limiting the use of pesticides and using peat-free soil.	On-going	Green Spaces Manager
		Management of unmaintained land, including woodland management, moorland restoration and considering making sites available for off-site biodiversity net gain	On-going	Head of Housing and Regeneration

FUNCTION	OBJECTIVES FOR CONSIDERATION	OPPORTUNITIES	TIMEFRAME	LEAD
		Considering the biodiversity value of sites prior to agreeing their disposal or lease	April 2024 (New financial year)	Head of Housing and Regeneration
		Consider findings of the BNG Study and promote specific Council-owned sites where measurable BNG can be achieved from Council-led and other developments	April 2024 onwards	Head of Housing and Regeneration
RAISING AWARENESS INTERNALLY AND EXTERNALLY	Continuing and formalising a biodiversity steering group meeting bi-annually/quarterly	Discuss and agree corporate actions to protect and enhance biodiversity	On-going	Head of Planning
	Re-introducing a Biodiversity Impact Assessment checklist/statement for reports to CMT and Committee Meetings	Assessing and mitigating the impact on biodiversity of new/amended Council strategies, policies and projects	April 2024 (New financial year)	CMT

FUNCTION	OBJECTIVES FOR CONSIDERATION	OPPORTUNITIES	TIMEFRAME	LEAD
	Incorporating biodiversity enhancement and nature-based solutions into the updated Climate Change Action Plan	Consider tree planting as well as other habitat enhancement/restoration (e.g. grassland and blanket bog) to help absorb more carbon dioxide and reduce flood risk	April 2024 onwards	Climate Change Officer
MONITORING	Reviewing actions undertaken	Preparing biodiversity reports in accordance with Section 103 of the Environment Act 2021	By March 2026 and then every 5 years thereafter	Head of Planning