

Biodiversity Report: First Consideration

Background

The Environment Act 2021 introduced a strengthened 'biodiversity duty' which requires all public authorities in England to consider what action they can take to conserve and enhance biodiversity.

Folkestone & Hythe District Council (FHDC) therefore must:

1. Consider what they can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on their 'first consideration'.
3. Act to deliver the policies and achieve their objectives.

For our first consideration, this report sets out what action we intend to take to enhance biodiversity within the district. This report reflects the situation as of [publication date] 2024. The actions can be reviewed at any point, but these actions must be reconsidered within five years.

Following the initial consideration, FHDC must agree the policies and objectives based on the first consideration as soon as possible, act on these, and prepare the first formal Biodiversity Report covering the reporting period ending no later than 1st January 2026, with subsequent reports published every five years thereafter. The Biodiversity Report will illustrate how FHDC is helping to improve nature recovery and the progress towards achieving our objectives, and in doing so complying with our biodiversity duty. A certain amount of biodiversity reporting is already undertaken as part of the Annual Monitoring Report (AMR).

Reporting the biodiversity duty is a corporate responsibility that cuts across all Council departments, actions and decision making. This first consideration will be a stock check on the actions taken to improve biodiversity and identify what has been achieved so far. It will set out the actions the Council will take going forward, however, it is likely that the scope of this report will evolve over the coming years as plans, projects and procedures are formulated.

Action that FHDC takes aims to contribute towards the national goals and targets on biodiversity, as part of the Environmental Improvement Plan (EIP23).

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.

For planning authorities there is the additional requirement to report on what is done for biodiversity net gain (BNG) on and off development sites for qualifying developments. The implementation of the mandatory 10% BNG requirement for major development was 12 February 2024. The provision for small sites using the small sites metric was introduced from 2 April 2024 with the requirement for NSIPs (Nationally Significant Infrastructure Projects) to be introduced towards the end of 2025.

The proposed reporting schedule is set out in table 1 below.

Report	Reporting period	Decision level	Publication date
First consideration		Corporate Leadership Team / Cabinet / Portfolio Holder	
First Report	January 2024 - January 2026.	CLT / Committee	March 2026
<u>Second Report</u>	<u>January 2026 to January 2031</u>	<u>CLT / Committee</u>	<u>March 2031</u>

Biodiversity Report contents

By law, the Biodiversity Report produced in 2026 must include:

- A summary of the action taken to comply with our biodiversity duty.
- The policies and objectives we have set to meet the biodiversity duty.
- The actions we have completed, either alone or in partnership with others, that benefit biodiversity.
- An explanation of how FHDC has taken account of local nature recovery strategies (LNRS), protected site strategies, and species conservation strategies.
- How FHDC plans to comply with the biodiversity duty in the next reporting period.
- The actions carried out to meet biodiversity net gain obligations.
- Details of biodiversity net gains resulting, or expected to result, from biodiversity gain plans we have approved.

- How FHDC plans to meet biodiversity net gain obligations in the next reporting period.

In June 2026, the Council will review the report frequency depending on the sufficiency and ease of data collection and the time taken to establish projects. The content of the report will also be reviewed and may be subject to change.

First Consideration of biodiversity actions

Work Area	Existing Relevant Policies / Strategies	Detail	Future Plans / notes
Corporate Actions	Corporate Plan	<p>In the Current Corporate Plan (2021-30) one of the service ambitions is “A Thriving Environment”. It includes the priority to ensure an excellent environment for everyone. The Council will take positive measures to encourage biodiversity, both by adapting existing practices (e.g. in relation to grass cutting) and by ensuring a net biodiversity gain in new developments. The council also committed to reduce its energy consumption and across the district to support opportunities for more sustainable development</p> <p>The Council declared a climate and ecological emergency in 2019.</p>	<p>The council is currently developing a new Corporate Plan and is using the United Nations 17 Sustainability Goals as a key guiding framework. One of the emerging key priorities is “Addressing Climate Change”. This includes actions such as:</p> <ul style="list-style-type: none"> • Protect and enhance plant and animal life, especially in our downland, river, coastal and marshland habitats. • Ensure our parks and green spaces are accessible and maintained in ways that benefit local people and wildlife. • Help minimise the damaging effects of climate change, working with nature and landowners. <p>The Council declared a biodiversity emergency on 24 July 2024 and resolved to:</p> <ol style="list-style-type: none"> 1. Continue to enhance biodiversity across its estate and land that it manages both directly and indirectly. 2. Continue to raise public awareness of the ecological emergency and the ways that it can be addressed. 3. Recognise the value of natural solutions to climate change and ecological problems and build the resilience of natural systems.

Work Area	Existing Relevant Policies / Strategies	Detail	Future Plans / notes
			<ol style="list-style-type: none"> 4. Continue to implement the actions identified in the Green and Blue Infrastructure Strategy (2023). 5. Contribute to the Kent County Council Making Space for Nature Strategy. 6. Support and enhance community initiatives and partnerships that promote biodiversity and ecological resilience. 7. Ensure that the current Corporate Plan review takes account of this Biodiversity Resolution. 8. Consider the resources required to deliver the actions listed above as part of the Council's annual budget setting cycle. Report progress through the Council's established Performance Reporting Framework.
Planning Policy	<p>Places and Policies Local Plan 2020</p> <p>Core Strategy Review 2022</p>	<p>Policy NE1 Enhancing and Managing Access to the Natural Environment</p> <p>Policy NE2 Biodiversity</p> <p>Policy NE3 Protecting the District's Landscapes and Countryside</p> <p>Policy NE8 Integrated Coastal Zone Management</p> <p>Policy NE9 Development Around The Coast</p> <p>Policy CSD4 Green Infrastructure of Natural Networks, Open Spaces and Recreation</p> <p>Policy CSD5</p>	<p>Review the approach to biodiversity as part of the preparation of a new Local Plan, taking account of government proposals for reform of the planning system and the introduction of new National Development Management Policies</p> <p>Call for sites for green spaces and biodiversity net gain.</p>

Work Area	Existing Relevant Policies / Strategies	Detail	Future Plans / notes
		Water and Coastal Environmental Management	
	Green and Blue Infrastructure Strategy and broad actions	<p>This sets the strategic direction of nature recovery and enhancements. Over a hundred priorities and opportunities have been identified in the Strategy that also provide natural solutions to meeting the challenges of climate change. The Strategy and the Priorities and Opportunities document have been approved by the Council's Cabinet. It will enable us to focus efforts to enhance the natural environment including biodiversity where the most gains can be made and where the need is greatest. It can also provide information for other initiatives and joint working with the community and organisations. The Strategy and the Priorities document can both be found on this page https://www.folkestone-hythe.gov.uk/planning-policy/green-blue-infrastructure-strategy</p>	<p>More detailed projects to be produced and developed in partnership with other organisations. Projects specifically designed to enable the conservation and enhancement of biodiversity through their delivery.</p>
	Local Nature Recovery Strategy (LNRS)	Supporting authority role for Kent LNRS 'Making Space for Nature. The Council supports the production of the LNRS through provision of information and advice. Attending LNRS related events.	ongoing
	Protected Sites	Service Level Agreement with Kent Wildlife Trust to manage Local Wildlife Sites and White Cliffs Countryside Project to manage the Warren.	Will continue to support KWT and WCCP in management of sites such as Local Wildlife Sites.
	Sustainable Access and Recreation Management Strategy (SARMS)	The SARMS was prepared by Folkestone & Hythe and Rother District Councils for the Natura 2000 sites (sites of international and	Consideration of reviewing the SARMS is underway.

Work Area	Existing Relevant Policies / Strategies	Detail	Future Plans / notes
		European importance for nature conservation) that fall within and around Dungeness and straddle both district council areas. For the overall strategy area, the report has identified that there is a degree of disconnect between the tourism and natural environment sectors. The Strategy also sets out measures needed to mitigate the relevant impacts. These are split in four categories A to D. Category A measures are for mitigation for planning policies or are necessary to be confident of no adverse effect on integrity. Category B measures are for measures clearly linked to a current issue or required to rectify current problem. Those in C and D are not included as they may be required further in the future or just not suitable.	
	Kent Downs National Landscape: Kent Downs AONB management plan	FHDC has a Councillor representative on the Joint Advisory Committee (JAC). Supported the review of the current management plan. Determine planning applications which considers the objectives and special qualities of this designated landscape.	Continue to engage in meetings. Management Plan updates. Local Plan Policies
	Species Conservation and Protected Site Strategies	Measures under the Environment Act include Species Conservation and Protected Site Strategies. A Species Conservation Strategy is a new mechanism to safeguard the future of particular species at greatest risk. A Protected Site Strategy will seek to achieve a similar purpose in respect of protected sites. The measures will place a new duty on local planning authorities to cooperate with Natural	We will actively engage with Natural England as they develop species conservation strategies and protected sites strategies. Responses to formal consultation will be undertaken in a timely manner. Opportunities will be sought for partnership working.

Work Area	Existing Relevant Policies / Strategies	Detail	Future Plans / notes
		England and other local planning authorities and public bodies in the establishment and operation of the strategies.	
Development Management	Training	Training has been delivered to relevant officers working within the planning function, as to how to embed BNG within the planning process.	Ensure all relevant officers working within the planning function are appropriately trained in how to embed BNG within the planning process. Deliver relevant training to Council Members to ensure that planning decisions appropriately have regard to BNG and Environment Act legislation and guidance.
	Council has taken a proactive approach to implementation of Biodiversity Net Gain. Officers negotiate BNG in all major planning applications (ten or more homes or developments of over 1000 sqm of commercial floorspace) and encourage BNG in other applications.	Officers negotiate BNG in all major planning applications (ten or more homes or developments of over 1000 sqm of commercial floorspace) and encourage BNG in other applications.	Develop monitoring indicators for reporting purposes.
	Determination of planning applications	Determination of planning applications in accordance with current wildlife legislation and policy.	Continue to review planning applications in line with current wildlife legislation and relevant Local Plan policy, and professional best practice (and any subsequent updates).
Grounds Maintenance	The grounds maintenance team also works to encourage wildlife and minimise the team's climate impact. They do this by managing areas to increase the species count and through actions such as reviewing areas where cutting regimes can be reduced to	We currently have significant areas within eight of our open spaces (parks and cemeteries) set aside as suitable for 'Bee Kind' areas, which are managed with the sole aim of increasing and promoting biodiversity (cut and collected on one occasion per year). This is in addition to the biodiversity rich Royal Military Canal that extends for 7km through the district, alongside many other naturalised areas within the Lower	Provision of management plans, appropriately costed and with delivery timeframes and responsibilities for our flagship open greenspace sites. We will work to treat the SSSI areas with the importance they deserve as part of working in partnership on the Protected Sites Strategies mentioned above.

Work Area	Existing Relevant Policies / Strategies	Detail	Future Plans / notes
	help increase biodiversity and reduce all environmental impacts.	<p>Leas Coastal Park and the 600 hectares that forms the Folkestone Warren, which forms just one of the three Sites of Special Scientific Interest (SSSIs) within the district that are renowned for their rare flora and fauna. Parks and open spaces need to remain as open spaces for public recreation.</p> <p>All tree planting and planting schemes including seasonal bedding are selected for their biodiversity value with trees being largely native, broadleaved, deciduous species.</p> <p>The use of herbicides/pesticides has been reduced significantly over the past few years. The only exceptions are treatments for alien invasive weeds such as Japanese Knotweed and Giant Hogweed, which are difficult to control by other non-chemical methods.</p> <p>Spring Lane cemetery / Cheriton Road cemetery/ Lydd Cemetery/ rear of Hawkinge cemetery etc. are already managed in such a way as to promote biodiversity in that they receive one conservation cut per year. We receive lots of complaints re unmanaged cemeteries so would need to balance the need of families who regularly visit graves with areas that could potentially be left wild.</p>	
Communications/ Planning Policy	Social media and website pages on Council website providing information on biodiversity and actions to take for enhancing it	General communications and publicity on the Council's activities in relation to the enhanced biodiversity duty and climate change. Supporting activity within services already detailed.	Ongoing as required.