

Biodiversity Duty Report • March 2026

Folkestone & Hythe District Council



Introduction

This biodiversity duty report sets out the policies and actions that Folkestone and Hythe District Council have taken to comply with the statutory biodiversity duty during the first reporting period of 1st January 2024 to 1st January 2026.

The Council's biodiversity duties were strengthened by the [Environment Act 2021](#), which requires public authorities in England to actively conserve and enhance biodiversity rather than just avoiding damage. Under this strengthened biodiversity duty public authorities must:

- Consider what they can do to conserve and enhance biodiversity.
- Agree policies and specific objectives based on this consideration.
- Act to deliver the policies and achieve the objectives.

Under the Act the Council must publish a report which includes:

1. A summary of actions that the Council has taken to comply with the biodiversity duty.
2. How the Council intends to comply with the biodiversity duty in the next reporting period.
3. The actions carried out to meet biodiversity net gain obligations.
4. Details of biodiversity net gains resulting, or expected to result, from biodiversity gain plans that have been approved.
5. How the biodiversity net gain obligations will be met in the next reporting period.
6. Any other information considered appropriate.

This report fulfils the Council's requirement to publish a report on biodiversity policies, actions and objectives undertaken by the Council to fulfil its biodiversity duty. The end date of the first reporting period is 1st January 2026.

Consider relevant strategies

The report considers how other relevant strategies have been considered, particularly:

- Local Nature Recovery Strategies – including information on how the Council has been working in a LNRS partnership in the area and how the strategy has influenced the Council's own policies, objectives and actions.
- Species Conservation Strategies
- Protected Site Strategies

Future actions

In addition to current and completed actions to deliver the biodiversity duty, this report also explains how the Council intends to fulfil the biodiversity duty over the five years following the end of the first reporting period. These plans are contained in a separate table.

Biodiversity Net Gain

The details of biodiversity net gains are in the excel spreadsheet as required by the Department for Environment, Food and Rural Affairs.

1. Policies, objectives and action

The table below contains:

- the policies and objectives set to meet the Council’s biodiversity duty
- the actions the Council has completed, either alone or in partnership with others, that benefit biodiversity.

Corporate plan

Detail	Progress/Actions
<p>In the Corporate Plan (2025-30) theme 6 is “Enhancing our local environment and supporting climate action”. It includes the following principles:</p> <ul style="list-style-type: none"> Protecting our waters, rivers and coast. Protecting our countryside and enhancing the diversity of plant and animal life. <p>The Council commits to:</p> <ul style="list-style-type: none"> Hold water companies to account for the quality of our drinking water, rivers and coastal waters. Ensure our streets and open spaces are clean and welcoming and our green spaces are accessible and maintained in ways that benefit local people and wildlife. Protect and enhance plant and animal life, especially in our downland, river, coastal and marshland habitats. Help minimise the damaging effects of climate change, working with nature and landowners. <p>The Corporate Plan (2025-35) uses the United Nations 17 Sustainability Goals as a key guiding framework.</p>	<ol style="list-style-type: none"> The Council contributes to the White Cliffs Countryside Project through attending meetings, site visits and ensuring management plans in place. The Council makes an annual financial contribution circa £35K. Actions include: <ul style="list-style-type: none"> Officers are actively looking at fly-tips, investigating and taking court action if the fixed penalty notice (FPN) is not paid. Patrolling with new staff and time being spent training them to improve performance. Educational work done with the public through events and public engagement whilst patrolling on a daily basis. The Green Grants Programme has made awards to a wide range of projects. Projects have included: <ul style="list-style-type: none"> Hythe Town Council Grassland - £2,720 for a management / biodiversity project across five parks. Remembrance Line Association - £8,000 for the restoration of old Harbour Line Folkestone. Kent Downs National Landscape - £9,786.59 for a study and the restoration of seven ponds. Folkestone Town Council - £10,000 for a tree replacement project across eight parks. Butterfly Conservation Kent SE London - £8,226 for an elm tree project in West Hythe to increase butterfly population. The Council supports volunteer days for its staff which has included nature conservation work such as habitat improvement on Folkestone Downs Site of Special Scientific Interest (SSSI) / Special Area of Conservation (SAC).

Council Resolutions

Detail	Progress/Actions
<p>The Council declared a climate and ecological emergency in 2019.</p> <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. 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. <p>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.</p>	<p>The resolution's points are being embedded into the Council's activities covered in other sections.</p>

Place Plan for Folkestone 2021

Detail	Progress/Actions
<p>The Place Plan for the town centre identified ways to maximise Folkestone’s potential. The Folkestone – A Brighter Future project focuses on several of these regeneration priorities. In 2023 the project was awarded £19.8 million from the Government’s Levelling Up Fund</p> <p>It will transform the town centre by replacing the current bus station with a new a major “green heart” initiative at Bouverie Square. This will enhance biodiversity through improved landscaping, tree planting, and new habitats while improving public space.</p>	<ul style="list-style-type: none">● Bouverie Square “Green Heart”: The former bus station is being redeveloped into a “garden square” with new greenery and play/leisure facilities.● Tree Preservation: Following public feedback, plans were updated to retain mature trees, particularly near Shellons Street.● Public Realm Improvements: Upgrades to Sandgate Road and Guildhall Street include improved landscaping and greening to make the area more appealing.



Places and Policies Local Plan 2020 & Core Strategy Review 2022

Detail	Progress/Actions
<p>Places and Policies Local Plan 2020</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>Core Strategy Review 2022</p> <p>Policy CSD4 Green Infrastructure of Natural Networks, Open Spaces and Recreation</p> <p>Policy CSD5 Water and Coastal Environmental Management</p>	<ul style="list-style-type: none"> • The Council is progressing with the production of the East Kent Design Codes, including on a Community Panel and consultation events. • Work on the new local plan is at an early stage, given delay in publication of regulations by Government. • The approach to biodiversity will be reviewed 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. • A call for sites for housing also included green spaces and biodiversity net gain.

Sustainable Access and Recreation Management

Detail	Progress/Actions
<p>The SARMS was prepared by Folkestone & Hythe and Rother District Councils for the Natura 2000 sites (sites of international and European importance for nature conservation) that fall within and around Dungeness and straddle both district council areas.</p> <p>For the overall strategy area, the report has identified that there is a degree of disconnect between the tourism and natural environment sectors.</p> <p>The Strategy also sets out measures needed to mitigate the relevant impacts.</p>	<p>The Council is in the process of commissioning a consultant to carry out the review in partnership with Rother District Council. This will include new visitor surveys.</p>

Green and Blue Infrastructure Strategy (2023) and broad actions

Detail	Progress/Actions
<p>This sets the strategic direction of nature recovery and enhancements. The Green and Blue Infrastructure Strategy identifies more than a hundred priorities and opportunities that also provide natural solutions to meeting the challenges of climate change.</p> <p>It enables 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 also provides information for other initiatives and joint working with the community and organisations. The Strategy and the Priorities and Opportunities Summary documents can both be found on this page https://www.folkestone-hythe.gov.uk/planning-policy/green-blue-infrastructure-strategy</p>	<p>The Council is researching a survey of the protected sites under Council management to ascertain their current condition.</p> <p>The Council has worked in partnership to develop the Local Nature Recovery Strategy.</p> <p>In partnership with KCC and the Butterfly Conservation Trust, the Council will be a planting scheme of elms by the canal at West Hythe. This will be delivered by the White Cliffs Countryside Partnership.</p> <p>The Greatstone Dunes management plan will be updated by the White Cliffs Countryside Partnership.</p> <p>Very early work on a tree strategy has been paused in order to understand implication of the proposed new National Planning Policy Framework (NPPF), a draft of which is out for consultation until 10 March 2026</p> <p>More detailed projects to be produced and developed in partnership with other organisations.</p>

Training

Detail	Progress/Actions
<p>Training for officers working within the planning function regarding how to embed BNG within the planning process.</p>	<p>Training was undertaken when BNG became mandatory and for planning officers and staff who validate planning applications.</p>

Protected Sites

Detail	Progress/Actions
<p>A Service Level Agreement is in place with Kent Wildlife Trust (KWT) to manage Local Wildlife Sites system on behalf of the Council.</p> <p>The White Cliffs Countryside Project (WCCP) manage Folkestone Warren, Romney Warren, Greatstone and Dungeness National Nature Reserve (NNR) on behalf of the Council.</p>	<p>The council will continue to support KWT in maintaining data and records for the sites, as well as surveying and monitoring the site.</p> <p>Folkestone Warren</p> <p>A selection of some of the ‘core focus’ species are:</p> <ul style="list-style-type: none"> • Fiery-Clearwing (moth, a scheduled species) – management actions to maintain and extend this stronghold; • Adonis Blue (butterfly) – management including scrub removal and grassland enhancements to increase the abundance of this important chalk grassland indicator species; Adder – management to encourage this species to thrive, including the creation and maintenance of scrub mosaic habitat. <p>Romney Warren</p> <p>In 2024 a new invasive species was discovered on this site: floating pennywort. The partnership will endeavour to control this species and seek out opportunities for funding that help to restore the pond where this species has got a foothold.</p> <p>A selection of some of the ‘core focus’ species at the Romney Warren:</p> <ul style="list-style-type: none"> • Deptford Pink Autumn Ladies Tresses and Marsh Mallow - the management of encroaching scrub and grassland enhancement works allows these rare species of plant to flourish; • Great Crested Newt – this site is a stronghold for GCN, the WCCP’s careful management of the seasonal ponds across the site allows this species to thrive. <p>The Council continues to support WCCP in management of sites</p>



Adonis blue at Folkestone Downs



Great Crested Newt

Kent Downs National Landscape: Kent Downs management plan

Detail	Progress/Actions
<p>Areas of Outstanding Natural Beauty (AONBs) were officially renamed as National Landscapes in England and Wales on November 22, 2023, following recommendations from the 2019 Glover Review, to better reflect their national importance and elevate their status alongside National Parks, though the legal designation name remains AONB.</p> <p>FHDC has a Councillor and Officer member on the Kent Downs National Landscape Joint Advisory Committee (JAC).</p> <p>The JAC plays a pivotal role in helping realise the strategic vision for the Kent Downs National Landscape and oversee the Management Plan. Its purpose is to provide advice to its members with statutory responsibilities for the effective management of the Kent Downs National Landscape.</p> <p>An Executive of representatives from the JAC, with some outside advisors, advises the work of the Kent Downs National Landscape Unit.</p> <p>The Kent Downs Management Plan is a statutory document required by the Countryside and Rights of Way Act 2000, to secure the conservation and enhancement of the natural beauty of the landscape. It formulates the local authority policy for the management of the National Landscape and for carrying out all of their functions in relation to it. It has to be adopted formally by all local authorities. The plan is prepared by the Kent Downs Unit and JAC for, and on behalf of, the twelve local authorities that have land within the Kent Downs.</p>	<p>Formal JAC meetings every six months;</p> <ul style="list-style-type: none"> • A special meeting was held in February 2024 to discuss the implications and implementation of the new Legal Duty towards Protected Landscapes placed on all public bodies and statutory undertakers as set out in the Levelling Up and Regeneration Act (2023). • A workshop was held in March 2025 which had a focus on the commencement of the statutory review of the Kent Downs Management Plan. <p>Since January 2024, the JAC have discussed and advised on:</p> <ul style="list-style-type: none"> • The Protected Landscapes duty - relevant authorities in undertaking any function in relation to or that may affect land in a Protected Landscape, must now 'seek to further' the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to 'have regard to' their statutory purposes. Inhouse training was provided by the unit in February 2025 and FHDC JAC members provided feedback on a number of supporting draft documents. • The UNESCO Cross Channel Global Geopark proposal and subsequent application, with a motion of support taken to full council by the FHDC JAC Councillor at the end of 2023. <p>UNESCO Global Geoparks are areas of international geological significance that promote the sustainable use of natural resources, conservation, education, and eco-tourism.</p>

Kent Downs National Landscape: Kent Downs management plan (continued)

Detail	Progress/Actions
<p>The Council as Local Planning Authority determines planning applications whilst considering the objectives and special qualities of this designated landscape.</p>	<p>FHDC JAC members attended the Cross-Channel Global Geopark Festival Official Reception meeting on 11th October 2025 at Chateau d’Hardelot and the Cross-Channel Geopark Festival Official Reception at Dover Castle on 7th November 2025.</p> <p>Additional meetings took place with the Kent Downs unit to discuss ways the district could actively promote the Geopark, currently this has resulted in the installation of two interpretation panels at Folkestone East Cliff and Farthing Common Geosites, with further ideas in discussion.</p> <ul style="list-style-type: none"> • The Management plan has to be reviewed every five years and work has started on the review of the current plan, with the aim of it being adopted in November 2026. • To date FHDC JAC members have provided feedback on the structure of the Management Plan review (2026-31) timetable of work, the current Management Plan and supporting draft documents, such as the mission and vision document and Equalities Impact Assessment.

Social media and communications

Detail	Progress/Actions
<p>General communications and publicity on the Council’s activities are provided in relation to the enhanced biodiversity duty and climate change. Supporting activity within services has already been detailed.</p>	<p>Website pages have been published on the Council’s website providing information on biodiversity and actions to take for enhancing biodiversity.</p>

Implementation of Biodiversity Net Gain

Detail	Progress/Actions
<p>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.</p> <p>Biodiversity Net Gain (BNG) in England applies to most developments, but key exemptions exist for small-scale projects, householder applications, and developments with minimal habitat impact (under or 5m of linear habitat). Other exemptions include self-build projects, permitted development, and applications submitted before Feb/April 2024.</p> <p>The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before the development starts.</p>	<p>Within the reporting period there were 56 planning permissions granted that require biodiversity net gain. The total number of biodiversity gain plans approved in the reporting period was 3.</p> <p>Further information is set out in the excel spreadsheet that accompanies this report.</p>

Determination of planning applications

Detail	Progress/Actions
<p>Determination of planning applications in accordance with current wildlife legislation and policy.</p>	<p>Planning applications take account of appropriate legislation, policy and caselaw.</p> <p>Continue to review planning applications in line with current wildlife legislation and relevant Local Plan policy, and professional best practice (and any subsequent updates).</p>

Grounds Maintenance

Detail	Progress/Actions
<p>The team works to encourage wildlife and minimise the impact of their activities on the climate. This is achieved by managing areas to increase the species count and through operational adaptations/actions, such as reviewing areas where cutting regimes can be reduced to help increase biodiversity and reduce all environmental impacts.</p> <p>The Council currently have significant areas within eight of our open spaces (parks and cemeteries) set aside for ‘Bee Kind’ areas, which are managed with the sole aim of increasing and promoting biodiversity (cut and collected on one occasion per year).</p> <p>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 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.</p> <p>The Council treat the SSSI areas with the importance they deserve as part of working in partnership on the Protected Sites Strategies mentioned above.</p>	<ul style="list-style-type: none"> • All tree planting and planting schemes including seasonal bedding are selected for their biodiversity value with trees being largely native, broadleaved, deciduous species. • 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. • Spring Lane cemetery, Cheriton Road cemetery, Lydd Cemetery, the rear of Hawkinge cemetery and other sites are already managed in such a way as to promote biodiversity in that they receive one conservation cut per year. The council receives complaints regarding unmanaged cemeteries, so biodiversity measures must balance the need of families who regularly visit graves with areas that could potentially be left wild. • In Kingsnorth Gardens, 30 species of vascular plant were recorded from the ten quadrats in 2025; an increase of eight species compared to the 2021 survey. In 2021, the composition of the grassland at Kingsnorth Gardens was found to most closely conform to the NVC community MG7 ‘reseeded grassland’. This is a community that is generally considered to be of low botanical interest and is the most common sown grassland type in Britain. There are signs that the meadow is transitioning towards the MG5 grassland community typical of traditional old meadows . • The Grounds Maintenance team continue to review grass cutting regimes (with biodiversity in mind) where possible. • Kingsnorth Gardens, the Lower Leas Coastal Park, Radnor Park and the Royal Military Canal have all been recognised by the Green flag awards for 2025/26. The Green Flag Award® scheme recognises and rewards well managed parks and green spaces. ‘Biodiversity, Landscape and Heritage’ is a core judging criterion. It highlights sustainable, well-managed areas that actively protect, manage, and promote natural features, flora, fauna, and wildlife habitats

Section 2: How the Council has considered other strategies

In this section the Council explains how it has taken the following into account:

- local nature recovery strategies
- protected site strategies
- species conservation strategies

Local Nature Recovery Strategy (LNRS)

Detail	Progress/Actions
The council fulfils a supporting authority role for Kent LNRS ‘Making Space for Nature’. The Council supported the production of the LNRS through provision of information and advice and attended LNRS related events.	The LNRS has now been adopted. The Council continues to work with Kent County Council on Kent’s ‘Plan Sea’ on issues that fall outside the scope of the LNRS which can only go as far as inter-tidal habitats.

Species Conservation and Protected Sites Strategies

Detail	Progress/Actions
<p>Measures under the Environment Act include Species Conservation and Protected Site Strategies.</p> <ul style="list-style-type: none"> • 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. <p>The measures will place a new duty on local planning authorities to cooperate with Natural England and other local planning authorities and public bodies in the establishment and operation of the strategies.</p>	The Council have had early engagement with Natural England as they develop a protected site strategy and create an Environmental Delivery Plan for Stodmarsh. Responses to formal consultation will be undertaken in a timely manner. Opportunities will be sought for partnership working.

Section 3: Our future actions

This section explains how the Council will fulfil its biodiversity duty over the 5 years following the end of this reporting period (January 2026 to January 2031).

Future action	Commitment
Assess the current state of biodiversity in the District and produce a baseline report.	As part of evidence gathering for reviewing local planning policies we will seek to collate and evaluate existing habitat, species, landscape and designated site data within and around the District.
Meeting future BNG requirements - Developing off-site provision and Habitat Banks for BNG.	The council will support third parties in establishing habitat banks for biodiversity enhancement where 10% net gain is not possible on a development site for example through Section106 agreements. Potential output could include a GIS layer of the sites considered suitable for ‘offsetting’ to support the planning process and enhancement schemes can contribute towards.
Local Nature Recovery Strategy.	The council will update District level strategies e.g. Local Plan, Green and Blue Infrastructure Strategy, to ensure alignment to LNRS.
Training for BNG.	The council will ensure all relevant officers working within the planning function are appropriately trained in how to embed BNG within the planning process. If required, the council will deliver relevant training to Council Members to ensure that planning decisions appropriately have regard to BNG and Environment Act legislation and guidance.
Engagement with relevant internal service/ work areas to support implementation of BNG and biodiversity enhancement.	The council will establish an internal officers’ group to support the implementation of BNG and biodiversity enhancement at the Council. The group meetings could include discussions on training, conditions, monitoring fees and the statutory metric plus potential areas of work to improve biodiversity in the district.
Develop monitoring indicators for reporting purposes.	The Council secured the Mycelia software tool to provide support for the implementation of BNG within the district, including validation, assessment, monitoring and reporting.
Species Conservation and Protected Site Strategies.	Future strategies, once published, will have to be considered under the Biodiversity Duty. The strategies are currently in the piloting phase. We will engage with Nature England in a timely and appropriate manner.

Future action	Commitment
Seek to include biodiversity enhancement in further areas of the Council’s work.	Consideration will be given on how to further enhance biodiversity as part of the wider work undertaken by the Council, for example retrofitting and repair work by the Housing teams.
Protected sites.	Provision of up-to-date management plans with priorities and delivery timeframes.
Green and Blue Infrastructure Strategy.	Use the Green and Blue Infrastructure Strategy as the Council’s framework, alongside the LNRS, for partnership working to extend and improve green and blue infrastructure network and connect habitats.

Section 4: Biodiversity Net gain Information

Information about biodiversity net gain is set out in the Government’s National Planning Policy Guidance at www.gov.uk/guidance/biodiversity-net-gain. In its introduction to biodiversity net gain, it explains that: “Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact (‘net gain’) on biodiversity. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. This is achieved by requiring local planning authorities to only grant permission for development, where the requirement applies,

subject to the Biodiversity Gain Condition to ensure that the biodiversity net gain objective is met. The Biodiversity gain condition is a pre-commencement condition that requires the local planning authority to approve a biodiversity gain plan before development can start.

Authorities are expected to include quantitative data on the BNG impacts of every development approved since mandatory BNG began in early 2024. This is a complex task, involving gathering and analysing data across thousands of habitats. This information has been collated using Mycelia software designed for this purpose. Defra has provided a suggested format for BNG data reporting, which provides a sense of government’s expectations. It covers 270 data points over eight worksheets, including information on the quantitative biodiversity gains (measured in biodiversity units) associated with each development and split in various ways – for example, by habitat type and by whether gains are on-site or off-site. This information is contained within the excel spreadsheets accompanying this report.



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