



Biodiversity Duty Reporting

1 Summary

1.1 This report asks that you approve the proposed content of our first 5-yearly Biodiversity Duty Report communicating how we are delivering our Biodiversity Duty, as required by the Environment Act 2021. This follows the preparation of a 'First Consideration' that was approved by Park, Strategy and Vision Committee in 2023.

Recommendation that Members:

- a note the duty placed on the Authority by the Environment Act 2021 to publish a Biodiversity Duty Report every five years,**
- b approve the publication of the Authority's first Biodiversity Duty Report for the period 1 January 2021 to 31 December 2025, and**
- C delegate any minor changes to the completion of the Biodiversity Duty Report to the Director of Sustainable Development.**

2 Background

2.1 The Environment Act 2021 introduced a strengthened 'Biodiversity Duty' which requires that all public authorities who operate in England must consider what they can do to conserve and enhance biodiversity. [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complying-with-the-biodiversity-duty). Public authorities are government departments, public bodies and agencies, local authorities and local planning authorities, and statutory undertakers.

2.2 All public authorities had to complete its "first consideration" of what action to take for biodiversity by 1 January 2024. The Authority's First Consideration was brought to Park Strategy & Vision Committee on 28 November 2023 and approved.

2.3 Some public authorities are required to publish a Biodiversity Duty report. These include local authorities (excluding parish councils), and local planning authorities) therefore LDNPA must produce a Biodiversity Duty Report. The biodiversity report details the policies and actions the public authority has carried out to comply with its Biodiversity Duty.

2.4 The end date of the first reporting or delivery period is 1 January 2026. All reports must be published within 12 weeks of the reporting period end date. Therefore, the Authority's Biodiversity Duty Report (proposed content provided in Annex) must be published before 31 March 2026. The format of a Biodiversity Duty Report is not specified.

2.5 By law, a Biodiversity Duty report must include:

- a summary of the action the public authority has taken to comply with the Biodiversity Duty,
- how the public authority plans to comply with the Biodiversity Duty in the next reporting period, and
- any other information the public authority considers appropriate.

2.6 Reports from local planning authorities must also include:

- the actions the local planning authority has carried out to meet Biodiversity Net Gain (BNG) obligations
- details of BNG resulting, or expected to result, from biodiversity gain plans the local planning authority has approved
- how the local planning authority plans to meet biodiversity net gain obligations in the next reporting period.

2.7 Reporting is required on a 5-year cycle. The next report will be required by 31 March 2031, covering the period 1 January 2026 to 31 December 2030.

2.8 In this reporting period the Authority has carried out a wide range of activity alone and in partnership to comply with the Biodiversity Duty - from implementing management plans on our own land including peat restoration works and delivering

the Farming in Protected Landscapes (FiPL) Programme, to supporting the publication of the Cumbria Local Nature Recovery Strategy, securing Biodiversity Net Gain from local developments and the delivery of many more strategies and initiatives.

3 Policy context

Links to Vision and / or Management Plan

3.1 The Biodiversity Duty on us and other public authorities has strong alignment with the delivery and reporting on the Lake District National Park Partnership Plan 2020-2025, specifically:

- Strategies 4, 5, and 6
- Key outcome: Securing the future of farming, forestry, nature and climate – actions 1, 2, and 5.

3.2 It also has strong alignment with the ambitions and objectives of the future Partnership Plan currently out for consultation.

Links to Business Plan

3.3 The Biodiversity Duty on us has strong alignment with our priorities in our Business Plan 2025 - 2028 and should strengthen our reporting on the relevant parts of this:

- Climate Action
- Farming and Nature Recovery.

Links to other strategic plans

3.4 The Biodiversity Duty Report is a statutory requirement that reports on how we are helping to deliver the UK Government's obligations under national and international law in relation to biodiversity conservation. The Biodiversity Duty on us provides impetus for the actions identified in the Lake District National Park Partnership Nature Recovery Plan and the Lake District National Park Authority's

Sustainability Strategy. It should also support and strengthen the delivery of the first Cumbria Local Nature Recovery Strategy for which we are a Supporting Authority.

4 Options

4.1 Members are presented with the following options:

- a) Agree the proposed content for publication as presented in Annex 1.
- b) Agree the proposed content for publication, subject to agreed amendments and delegated to the Director of Sustainable Development for final approval.
- c) Propose an alternative approach that can be delivered and published by the statutory deadline of 31 March 2026.

5 Proposals

5.1 It is recommended that option b) is chosen because the content of this statutory report is simply factual information describing recent work and a high-level outline of potential future work that will support our Biodiversity Duty, as committed to in existing published Authority and Partnership documents. However, minor figure updates and document design will be needed before publication.

6 Demonstrating best value

6.1

a) Challenged – this report is required by Defra. We have selected to report on more than the statutory minimum requirements by including some optional sections to highlight the breadth and depth of our work with partners and on our properties, whilst managing staff time needed for report drafting.

b) Compared – we have reviewed draft Biodiversity Duty Reports of other organisations, and followed guidance provided by Defra on the formulation of this report.

c) Consulted – the report is not required to be consulted on. It will be made available online for information only.

d) Compete – not relevant.

8 Finance considerations

8.1 No financial implications.

9 Risk

9.1 The below table summarises three risks related to the publication of the Lake District National Park Authority's first Biodiversity Duty Report.

Risk	Likelihood	Impact	Mitigation
Failure to publish Biodiversity Duty Report by 31 March 2026	Low	Medium	Asking members to approve draft report in this paper
Lake District National Park Authority perceived to not be delivering enough on the ground biodiversity conservation activity	Low	Medium	The Report includes a comprehensive introduction and throughout highlights the limitations and opportunities the NPA experiences to direct delivery of nature conservation work
Lake District National Park Authority perceived to be claiming the achievements of Partners/stakeholders	Low	Medium	The Report presents our Partnership working and highlights ours as well as partners involvement and leadership

10 Legal considerations

10.1 Section 40 of the Natural Environment and Rural Communities Act 2006 introduced a duty for public authorities to have regard to conserving biodiversity when exercising its functions. Section 102 of the Environment Act 2021 strengthened this duty by requiring public authorities to consider, set policies and objectives, and act to conserve and enhance biodiversity. The proposal contained in this report is a direct result of the Biodiversity Duty placed on us as a public authority.

11 Human resources

11.1 No staffing implications. The proposal is business-as-usual statutory activity and future resource requirements for reporting will be included in future Business Plans and Service Plans.

12 Diversity implications

12.1 This proposal is of low relevance to diversity issues.

13 Sustainability

13.1 There are no significant environmental, economic and social effects of this proposal. It is a summary report of activity taken already, and future activity proposed within other Authority or Lake District National Park Partnership publications.

Background papers	Briefing on Biodiversity Duty and our first consideration (28 November 2023)
Author / Post	Alice Collier, Lead Strategy Adviser – Land Management
Responsible Director	Steve Ratcliffe
Date written	20/01/2025

Annex 1: Draft Biodiversity Duty Report

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