

<b>CABINET</b>
<b>17<sup>th</sup> February 2026</b>

<b>*PART 1 – PUBLIC DOCUMENT</b>
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**TITLE OF REPORT: BIODIVERSITY DUTY REPORT 2026**

REPORT OF: *POLICY AND COMMUNITY MANAGER*

EXECUTIVE MEMBER: *CLLR DANIEL ALLEN, EXECUTIVE MEMBER FOR GOVERNANCE*

COUNCIL PRIORITY: SUSTAINABILITY

**1. EXECUTIVE SUMMARY**

- 1.1 In accordance with the Biodiversity Duty (Environment Act 2021), Local Authorities and Local Planning Authorities must publish a biodiversity report. The report is expected to document the policies and actions the council has carried out to comply with the Biodiversity Duty.

**2. RECOMMENDATIONS**

- 2.1. That Cabinet note the contents of the Biodiversity Duty Report 2026 at Appendix A, and approve its publication on the council's website.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. To ensure the council is compliant with the Biodiversity Duty (Environment Act 2021) and its requirement to publish a biodiversity duty report within twelve weeks of the reporting period end date. The end date of the first reporting period must be no later than 1<sup>st</sup> January 2026.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. To not publish a Biodiversity Duty Report. This would mean the council becomes non-compliant with the Biodiversity Duty.

**5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1. The strengthened Biodiversity Duty (Environment Act 2021) requires public authorities to consider what they can do to conserve and enhance biodiversity. Initial consideration was made through discussions with council officers from key areas including Greenspace, Planning, Estates, and Policy & Strategy. Once actions were drafted, they were proposed to be included in the council's new Sustainability Strategy 2025-2030, under a section on biodiversity. As such, the objective and actions which constitute our Biodiversity Duty considerations were consulted on as part of the broader development of the Sustainability Strategy. This included a workshop of key officers, Leadership Team, and senior colleagues who work in sustainability at Hertfordshire County Council.

It also included a consultation exercise which gave the public, staff, and councillors the opportunity to comment on proposed objectives and actions, as well as cross-party consultation with elected members, and review by Political Liaison Board (comprised of the Leadership Team and the Cabinet). The Executive Member was kept informed throughout, and the Sustainability Strategy 2025-2030 was approved by Cabinet in June 2025. Progress updates on the actions for the Biodiversity Duty Report 2026 have been gathered through the usual Sustainability Strategy reporting and monitoring mechanisms, as well as through further discussion with officers responsible for delivering the actions.

## **6. FORWARD PLAN**

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

## **7. BACKGROUND**

- 7.1. The Environment Act 2021 introduced a strengthened Biodiversity Duty for public authorities in England. This strengthened duty requires public authorities to actively consider how they can conserve and enhance biodiversity. They must agree policies and specific objectives based on this consideration, and act to deliver the policies and achieve the objectives. As a local authority and a local planning authority, North Herts Council is subject to this duty.
- 7.2. The council was required to complete the first consideration of what actions it can take for biodiversity by 1<sup>st</sup> January 2024, and to agree policies and objectives as soon as possible after this. The first consideration was made by the required deadline via discussion with key departments who are best placed to deliver action around biodiversity. This included Greenspace; Planning; Estates; and Policy & Strategy.
- 7.3. As the council were planning to develop a more holistic Sustainability Strategy to replace its Climate Change Strategy, it was proposed that objectives and actions around biodiversity be integrated here in recognition of the interconnections between biodiversity and other elements of sustainability, and to allow biodiversity actions to be monitored and evaluated alongside the council's wider environmental commitments. This is in line with government guidance on the Biodiversity Duty which indicates that actions can be recorded within existing environmental strategies or within a newly created document.
- 7.4. As such, the Sustainability Strategy 2025-2030 was developed to include a specific section around biodiversity which satisfies the requirements of the Biodiversity Duty. The Strategy was developed, consulted on, and approved as per the process outlined at 5.1.
- 7.5. Under the Duty, the council is required to reconsider the actions it can take at least every five years, though more frequently may be appropriate.
- 7.6. The Biodiversity Duty Report 2026 at Appendix A documents the objectives and actions we have carried out to comply with the Biodiversity Duty. The end date of the reporting period it covers is 1<sup>st</sup> January 2026. The end date of each future reporting period must be within 5 years of the end date of the previous reporting period.

## **8. RELEVANT CONSIDERATIONS**

- 8.1. By law, the report must include a summary of action taken to comply with the biodiversity duty and how we plan to comply with the duty in the next reporting period. Suggested optional information includes details about the authority, and governance arrangements for monitoring and evaluating the actions. The government guidance is not prescriptive about how the report is structured or set out.
- 8.2. Reports from local planning authorities must also include specific information related to Biodiversity Net Gain (BNG). This includes the actions the authority has carried out to meet BNG obligations; details of BNG resulting from, or expected to result from, biodiversity gain plans the authority has approved; and how the authority plans to meet BNG obligations in the next reporting period.
- 8.3. If approved for publication, the Biodiversity Duty Report 2026 will be published on the 'Enhancing Biodiversity' webpage of the council's website. This page contains an explanation of the Biodiversity Duty and the requirement to publish reporting.
- 8.4. The Department for the Environment, Food and Rural Affairs (Defra) intends to include references to authorities' reports in future reviews of the Environmental Improvement Plan.

## **9. LEGAL IMPLICATIONS**

- 9.1. There are no legal implications as a result of this report.
- 9.2. Section 102 of the Environment Act 2021, requires the Council, as a local authority and local planning authority, to comply with the Biodiversity Duty. This includes publishing reporting within twelve weeks of the end of the reporting period. The end date of the council's first reporting period is 1<sup>st</sup> January 2026.
- 9.3. This recommendations of this report will enable the Council to discharge their duties in accordance with the legislative timetable in the Environment Act 2021 and fall within the Functions of Cabinet as set out in Section 5 of the Constitution.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no specific revenue implications, no specific capital implications, and no other financial implications arising directly from this report.

## **11. RISK IMPLICATIONS**

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. There are no risk implications linked to the recommendation at 2.1., other than a failure to approve the Biodiversity Duty Report 2026 for publication would result in the Council being non-compliant with Biodiversity Duty (Environment Act 2021) requirements.

## **12. EQUALITIES IMPLICATIONS**

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. There are no direct equality implications arising from this report.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. The Social Value Act and “go local” requirements do not apply to this report.

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts that apply to the publishing of the Biodiversity Duty report. However, the publishing of the report ensures compliance with the Biodiversity Duty (Environment Act 2021) and enables transparency around the progress of actions the council is taking to conserve and enhance biodiversity.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 There are no direct HR implications arising from this report. Officers from various teams are responsible for delivery of the actions highlighted in the report at Appendix A, and this is reflected in Service Plans and through the Sustainability Strategy 2025-2030 reporting and monitoring mechanisms.

## **16. APPENDICES**

- 16.1 Appendix A – Biodiversity Duty Report 2026

## **17. CONTACT OFFICERS**

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## **19. BACKGROUND PAPERS**

### **19.1 [Sustainability Strategy 2025-2030](#)**