

**11 July 2022****Agenda Item:****REPORT OF SERVICE DIRECTOR INVESTMENT AND GROWTH****LOCAL NATURE RECOVERY STRATEGY FOR NOTTINGHAMSHIRE AND NOTTINGHAM****Purpose of the Report**

1. To seek approval for the County Council to act as Responsible Authority for the development of a Local Nature Recovery Strategy covering the County and City.
2. To seek approval for the recruitment of staff and consultants to develop the Strategy.

**Information**

3. The Environment Act 2021 established a requirement to produce Local Nature Recovery Strategies for “areas” within England and that these strategies should cover the whole of England. The core purpose of a Local Nature Recovery Strategy (LNRS), as defined by DEFRA, is to help reverse the ongoing decline of nature and biodiversity in England through coordinated, practical and focused action.
4. There will be circa 50 LNRSs in England, covering areas determined by the Secretary of State, and the Act sets out that they will be prepared by “responsible authorities”. The Strategies will be evidence based, locally led and collaborative and each strategy will, for the area it covers, include:
  - A statement of biodiversity priorities
  - A local habitat map or maps covering the whole areaThese should cover the existing biodiversity; opportunities and priorities, in terms of habitats and species, for recovering or enhancing biodiversity; and proposals for potential measures relating to the agreed priorities.
5. Collectively, the Local Nature Recovery Strategies will help to deliver the Nature Recovery Network for England. The Nottinghamshire and Nottingham Strategy, once published, should inform the delivery of Biodiversity Net Gain across the County, as well as supporting the delivery of environmental land management schemes and nature-based solutions to address wider environmental problems. There will also need to be a collaborative approach with Derbyshire and Leicestershire to support and inform cross-boundary work, for example through the East Midlands Development Corporation.

6. In Nottinghamshire, it is proposed that the County Council will be the 'Responsible Authority' for an LNRS covering the geographic county of Nottinghamshire, including the City. The provisional appointment of the County Council was made at official level in February 2022 and formal appointment by the Secretary of State is expected later this year, along with secondary legislation and the publication of guidance for LNRS preparation. It is also anticipated that New Burdens funding will be made available to responsible authorities, through a Section 31 grant, to enable additional capacity to be provided for the production and implementation of an LNRS.
7. The Biodiversity Opportunity Mapping that has been carried out through the Nottinghamshire Biodiversity Action Group will provide an excellent starting point for the development of the Strategy. Grant funding already received from Natural England has also enabled some preliminary work to be undertaken, including:
  - the establishment of a core LNRS Team from NCC officers and representatives from key partner organisations
  - identifying potential governance arrangements
  - scoping the process/stages required for LNRS production and agreeing a framework for future work
  - identifying existing capacity and skills within NCC and partner organisations, as well as any gaps, and making recommendations for additional resource requirements
  - auditing existing national and local data and mapping
  - producing a draft engagement plan, identifying networks, partnerships, organisations and individuals to be engaged as part of future engagement work
  - undertaking early-stage consultation with key partner organisations to produce draft list of Priorities for nature's recovery.This preliminary work was coordinated by the County Council through the current Conservation Intern, working in partnership with Nottinghamshire Wildlife Trust, and was completed in March 2022.
8. To enable the County Council to lead the development of the Local Nature Recovery Strategy, it is proposed that two new posts be established within the Conservation team on a full-time, fixed term basis for two years:
  - LNRS Co-ordinator – 1FTE
  - LNRS Assistant – 1FTEJob descriptions for these newly established posts will be formally evaluated under the Council's relevant job evaluation process and appointed to using the agreed recruitment and selection procedure. Recruitment to these posts will be subject to sufficient funding being available through the S.31 grant.
9. It is anticipated that consultancy support will also be required during the development of the Strategy, particularly to support the high levels of stakeholder and wider public engagement that will be required. Consultancy support will be procured in line with the County Council's Financial Regulations and all costs will be met through the S.31 grant.
10. One of the key findings from 5 pilot studies set up by DEFRA in 2020, was the importance of establishing good governance quickly. Government requires that there is local ownership of Local Nature Recovery Strategies and there will, therefore, need to be political oversight of the development and implementation of the LNRS covering the City and County. This could be through the formation of a new Strategic Board, although early

soundings with officers from Local Authority partners have suggested that it would be better to incorporate oversight of the LNRS into an existing structure. The inclusion of Local Nature Recovery Strategies as one of the strategic functions in the Devolution Framework, within the Levelling Up White Paper, would support proposals that the existing Economic Prosperity Committee (EPC) could provide the necessary oversight by Elected Members. Approval for this would be sought at a future meeting of the EPC.

## **Link to Nottinghamshire Plan/Annual Delivery Plan**

11. The Local Nature Recovery Strategy, as a statutory document underpinned by primary and forthcoming secondary legislation, should support and inform many of the ambitions within the Nottinghamshire Plan and in particular:
- Protecting the environment and reducing our carbon footprint
  - Strengthening businesses and creating more, good-quality jobs
  - Helping our people live healthier and more independent lives
  - Making Nottinghamshire somewhere people love to live, work and visit
  - Attracting investment in infrastructure, the economy and green growth.

## **Other Options Considered**

12. The County Council could choose not to accept the appointment as Responsible Authority. The City Council or another Local Authority within the County would then be appointed to lead the work but, as the LNRS will be a County-wide Strategy, there will still need to be significant input from the County Council. As the County Council will need to play a leading role in the development of the LNRS, will receive a S.31 grant to cover the additional costs incurred, and for the reasons set out in paragraph 13 below, the option to not accept the role of Responsible Authority was discounted.

## **Reasons for Recommendations**

13. Government considers that the Responsible Authority should have strong knowledge of the area covered by the Local Nature Recovery Strategy and a democratic mandate to ensure “necessary legitimacy and local ownership”. The County Council already hosts the Nottinghamshire Biodiversity Action Group, covering the County and City, and is therefore well-placed to lead on the development of the LNRS in close liaison with the City Council.
14. Neither the County Council nor its partners have spare capacity to undertake the work required to develop the LNRS. Additional staff and consultancy resource is, therefore, necessary to enable the work to be carried out within the timeframes required by government.

## **Statutory and Policy Implications**

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

16. It is anticipated that the costs of preparing the Local Nature Recovery Strategy for Nottinghamshire and Nottingham, including staffing and consultancy costs, will be covered by a Section 31 Grant from DEFRA. The precise amount of this “New Burdens” funding has not yet been established. It is anticipated that there will also be “in-kind” contributions of staff time and expertise from partners.

## **Consultation**

17. Initial consultation has been carried out with a range of key partners and stakeholders and a draft Engagement Plan has been prepared. This will guide wider stakeholder engagement and public consultation as the Strategy is developed.

## **Data Protection and Information Governance**

18. All information collected during the development of the LNRS, particularly in relation to stakeholder engagement and public consultation, will be managed in accordance with the County Council’s policies, procedures and guidance for Information Governance.

## **Human Resources Implications**

19. LNRS staff will be employed by the County Council on fixed term contracts, as set out in paragraph 8. Job descriptions and person specifications will be subject to job evaluation and recruitment to the posts will be in line with the County Council’s recruitment policy and procedures. Day to day line management of the LNRS staff will be through existing structures within the Conservation Team.

## **Implications for Residents**

20. The Local Nature Recovery Strategy should seek to achieve multiple environmental benefits for the residents of Nottinghamshire and Nottingham, including improved access to green space, resilience to climate change and improved water and air quality. It should also inform the delivery of environmental land management schemes across the County.

## **Implications for Sustainability and the Environment**

21. The Local Nature Recovery Strategy will form part of the national Nature Recovery Network, which aims to:
- enhance sites designated for nature conservation and other wildlife-rich places, creating and restoring wildlife-rich habitats, corridors and stepping-stones to help wildlife populations to grow and move;
  - improve the landscape’s resilience to climate change, providing natural solutions to reduce carbon and manage flood risk, and sustaining vital ecosystems such as improved soil, clean water and clean air;
  - reinforce the natural and cultural diversity of the landscape and protect the historic natural environment.

## RECOMMENDATIONS

- 1) That the County Council accepts the formal appointment by the Secretary of State of the County Council as Responsible Authority for the production of a Local Nature Recovery Strategy for Nottinghamshire and Nottingham.
- 2) That approval is given for the establishment of, and recruitment to, 2 FTE fixed term posts within the Conservation Team and the recruitment of any consultants required for the development of the Strategy, in line with relevant County Council policies and procedures, and subject to the availability of funding, as set out in paragraphs 8 and 9.

**MATTHEW NEAL**

### SERVICE DIRECTOR INVESTMENT AND GROWTH

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### Constitutional Comments (CEH 22.06.2022)

22. The recommendations fall within the remit of the Cabinet Member for Transport and Environment under their terms of reference.

### Financial Comments (SES 08/06/2022)

23. There are no specific financial implications arising directly from this report.
24. It is anticipated that the costs of preparing the Local Nature Recovery Strategy for Nottinghamshire and Nottingham, including staffing and consultancy costs, will be covered by a Section 31 Grant from DEFRA. The precise amount of this “New Burdens” funding has not yet been established. It is anticipated that there will also be “in-kind” contributions of staff time and expertise from partners.

**HR Comments (TC 30/06/22)** The two fixed term posts will be evaluated by the Job Evaluation team and advertised in line with Recruitment policies. Postholders in the temporary roles established will accrue full employment rights after 2 years, including redundancy payments when the contracts expire. The implications will be managed in line with the Council’s employment procedures.

### Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

## **Electoral Divisions and Members Affected**

- All