



**Durham
Biodiversity
Partnership**

Action for wildlife in Gateshead, South Tyneside,
Sunderland, Darlington & County Durham

An Introduction to the NERC Biodiversity Duty

Under the Natural Environment and Rural Communities Act (NERC) 2006, Local and Public Authorities have a Duty to have regard to the conservation of biodiversity in exercising their functions. The Duty aims to raise the profile of biodiversity, to clarify existing commitments and to make biodiversity an integral part of policy and decision-making.

In May 2007 Defra published a set of guidelines to help Local and Public Authorities implement the new duty and illustrate the variety of ways this can be done without necessarily increasing costs. This series of guidance notes summarises these guidelines for us by officers and members in implementing the Duty.

What is Biodiversity?

Biodiversity is the variety of life on earth, and includes all species of plants and animals and the natural systems that support them. Biodiversity is a core component of sustainable development, underpinning economic development and prosperity, and has an important role to play in developing locally distinctive and sustainable communities.



Marsden Old Quarry © South Tyneside Council

Why conserve Biodiversity?

The UK has international responsibilities to conserve biodiversity and there are national and local initiatives in place to protect and enhance it. Conserving biodiversity includes restoring and enhancing species populations and habitats, as well as protecting them.

Biodiversity underpins local quality of life, gives a “sense of place” and offers opportunities for promoting tourism, economic development, health, sustainable communities and social cohesion. For example biodiversity conservation:

- will have an important role in tackling and reducing the severity of climate change;
- is an indicator of the wider health of our environment and provides a healthy and attractive living environment for people;
- helps to sustain local economies that support jobs and attract visitors and business;
- contributes to our physical and mental health, quality of life and well-being by encouraging outdoor recreation, exercise and relaxation;
- provides us with essential products and materials such as food, medicines and building materials and delivers key ecosystem services such as food, flood management, pollination and provision of clean air and water;
- offers opportunities for community engagement and volunteering and promotes social inclusion;
- is an important part of our cultural heritage and identity defining local character and distinctiveness.

How can Authorities conserve Biodiversity?

Local and Public Authorities are already involved in conserving biodiversity in a number of ways, but there are always opportunities to do more.

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The following list is not exhaustive nor in any priority order, but it is intended to be an illustration of the ways biodiversity conservation can be integrated into different services.

- Ensuring that statutory obligations for the protection and enhancement of biodiversity are fulfilled within the forward planning and development control processes.
- Incorporating the conservation of biodiversity and its benefits into relevant Local and Public Authority strategies and policies, such as procurement policies, asset management plans and economic development plans.
- Working with colleagues and partners to deliver Environment, Nature Conservation or Biodiversity Strategies.
- Managing any land and buildings owned by Local and Public Authorities in ways that will protect and enhance biodiversity.
- Leading by example and taking action to reduce environmental impact and use of resources, resulting in efficiency savings.
- Participating in the Durham Biodiversity Partnership and taking action to help deliver the local Biodiversity Action Plan.
- Supporting Durham Biodiversity Data Service and the EYE Project to ensure up-to-date biodiversity data is available to help decision-making.
- Using the benefits of access to biodiversity in the delivery of services to the public such as social care, community development, health and recreation.
- Supporting appropriate access to nature and understanding of the natural world within schools, community engagement, education programmes and raising awareness of biodiversity to the public.
- Making decisions to buy environmentally friendly products such as sourcing wood products from sustainably managed forests and buying peat free planting media.



Green Hay making © Durham Wildlife Trust

What are the implications of the new Biodiversity Duty?

Although the Duty requires Local and Public Authorities to have regard to biodiversity in carrying out its existing duties and functions, the guidance provided by Defra suggests that it is not intended that this should result in a significant financial burden.

There may be a need for additional expenditure in cases where authorities are not already meeting current statutory commitments but opportunities exist to minimise any additional costs involved. Improvements can be secured by doing things differently, rather than by implementing significant additional projects, by promoting cultural change and by encouraging staff and elected members to think about the biodiversity implications of their activities. It is about improving the way we do things so that the conservation of biodiversity is fully integrated into a wide variety of activities, services and policy.

How is progress measured?

The Duty does not introduce additional monitoring. Using existing mechanisms and those already in development Local and Public Authorities will be able to monitor biodiversity and demonstrate how they have met the Duty and the contribution made towards sustainable development and 'quality of life' issues.

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These notes were adapted from those prepared by the Cambridgeshire and Peterborough Biodiversity Partnership

Guidance notes are also available on: Education, Advice and Awareness, Planning, Regeneration and Economy, Management of Land and Buildings, and Policy, Strategy and Procurement, from www.durhambiodiversity.org.uk

References and Further Information

The Natural Environment and Rural Communities Act 2006 www.defra.gov.uk/rural/ruraldelivery/bill/default.htm
'Guidance for Local Authorities on implementing the Biodiversity Duty' (Defra 2007) and 'Guidance for Public Authorities on implementing the Biodiversity Duty' (Defra 2007)
www.defra.gov.uk/wildlife-countryside/biodiversity/index.htm