

DELEGATED DECISIONS BY CABINET MEMBER FOR PLACE, ENVIRONMENT AND CLIMATE ACTION

26 FEBRUARY 2026

Biodiversity Action at Oxfordshire County Council (January 2023 - December 2025)

Report by Director Environment and Highways

RECOMMENDATION

The Cabinet Member is RECOMMENDED to:

- a) Approve the 'Biodiversity Action at Oxfordshire County Council Jan 2023-Dec 2025' report for publication.

Executive Summary

1. The 'Biodiversity Action at Oxfordshire County Council Jan 2023-Dec 2025' report ('The Biodiversity Report') has been produced in line with requirements of Section 40 and Section 40A of the Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021.
2. If approved, the Biodiversity Report will be published on the Council's website within 12 weeks of 31st December 2025, and the Council's Biodiversity Action Plan 25/26 will be reviewed and updated for 26/27 to ensure alignment with the 'future actions' identified in the Biodiversity Report.

Summary of the Biodiversity Report

3. The Biodiversity Report documents the policies and actions the Council has carried out to comply with its [biodiversity duty](#),
4. The biodiversity duty provides that the Council must:
 - Consider what it can do to conserve and enhance biodiversity
 - Agree policies and specific objectives based on that consideration
 - Act to deliver its policies and achieve its objectives
5. The legislation sets out that the first reporting period for this report should begin from the date the authority becomes subject to the duty (1st January 2023) and end no later than 1st January 2026. The Biodiversity Report therefore reports for the period from 1st January 2023 to 31st December 2025.
6. Approval of the Biodiversity Report is therefore sought to allow it to be published on the Council's website by 25th March 2026.

7. The Biodiversity Report has been produced in line with requirements of Section 40 and Section 40A of the Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021, and following [guidelines](#) published by Defra.
8. The report communicates what the Council is doing to improve the environment and will support sharing of best practice amongst Local Authorities.
9. The Department for the Environment, Food and Rural Affairs (Defra) intends to include references to Local Authority biodiversity reports in future reviews of the [Environmental Improvement Plan](#).
10. As required by law, the Biodiversity Report includes:
 - a summary of the action the Council has taken to comply with the biodiversity duty ('Actions we've taken'). This includes actions we have taken alone, as well as in partnership with others;
 - how the Council plans to comply with the biodiversity duty in the next reporting period ('Future actions');
- the actions the Council as local planning authority has carried out to meet biodiversity net gain obligations;
- details of biodiversity net gains resulting from, or expected to result, from biodiversity gain plans the Council as local planning authority has approved; and
- how the Council, as local planning authority, plans to meet biodiversity net gain obligations in the next reporting period.
11. Additionally, The Biodiversity Report includes a summary of the Council's top achievements for biodiversity during the reporting period, as well as 'spotlight features' covering:
 - The Oxfordshire Local Nature Recovery Strategy,
 - Biodiversity in procurement,
 - Road Verge Nature Reserves,
 - Partnership working,
 - The Oxfordshire Wildlife Sites Project,
 - Community Action Groups Oxfordshire, and
 - The Lower Windrush Valley Project.

These spotlight features provide greater depth on certain key work areas to promote sharing of best practice.

12. The Biodiversity Report relates directly to the recently approved Oxfordshire County Council Biodiversity Action Framework 2025-2030 and is structured to reflect the 5 Council objectives set out in the Framework:

- Nature Positive Council
 - A Natural Capital Approach,
 - Oxfordshire-wide Nature Recovery,
 - Biodiversity Awareness, and
 - Access to Nature for All.
13. Throughout the report it highlights how the Council's reported and future actions for biodiversity are aligned with the Oxfordshire Local Nature Recovery Strategy.

Background to the Biodiversity Report

14. The Environment Act 2021 introduced a strengthened the biodiversity duty for public authorities by amending Section 40 of the Natural Environment and Rural Communities Act 2026. This strengthened duty requires all Local Authorities in England to:
- a) Consider what they can do to further the conservation and enhancement of biodiversity
 - b) Agree policies and specific objectives based on the consideration
 - c) Act to deliver the policies and achieve the objectives.
 - d) Publish a Biodiversity Report.
15. Steps a) – c) have been completed through production of an Initial Considerations Report (Jan 2023), and the Biodiversity Action Framework and Action Plan, which were approved by Cabinet in October 2025.
16. The structure of the Biodiversity Report reflects the objectives agreed in the Council's Biodiversity Action Framework, to help demonstrate how the actions deliver against these objectives.
17. Actions for inclusion in the Biodiversity Report were gathered from relevant service areas within the Council and align with other Council reporting on similar data where relevant. Future actions have been informed by a process of internal consultation, this began in 2023 with production of the Initial Considerations Report and continued through internal consultation on the Biodiversity Action Framework and Action Plan. The future actions identified align with those in the approved Biodiversity Action Plan and/or other service area work plans. The Biodiversity Action Plan 25/26 will be reviewed and updated for 26/27 to align with the future actions in the Biodiversity Report.

Corporate Policies and Priorities

18. The [Council's vision](#) is to make Oxfordshire a greener, fairer and healthier county. This is centred around strong and connected communities, healthy places to live, and a thriving local economy that benefits everyone.
19. The Biodiversity Report directly relates to the objective for a greener Oxfordshire, demonstrating how the Council is fulfilling its objective in the

Corporate Plan to speed up efforts to protect nature and wildlife in Oxfordshire, and working with partners to deliver the county's Local Nature Recovery Strategy.

20. The Biodiversity Report also reports on actions that align with the Councils objectives for a healthier and fairer Oxfordshire, particularly by identifying how the Council is working with local organisations to tackle inequalities in access to nature, as well as helping Oxfordshire communities to benefit from the mental and physical health benefits of nature.

Financial Implications

21. There are no new financial implications arising from approval of the Biodiversity Report; most of the future actions listed are to be delivered through existing Council staff and budgets.
22. Extra burdens funding is received from Defra on an annual basis in relation to ecological support for the LPA planning function for Biodiversity Net Gain (BNG); in 25/26 £27,142 was allocated to Oxfordshire County Council for this purpose, it has been confirmed that the BNG grant for local authorities for financial years 2026-27, 2027-28 and 2028-29 has been consolidated into the Revenue Support Grant (RSG) and will be distributed to local authorities according to the new Fair Funding Assessment. Any reduction in the level of funding for BNG would be managed within the Countryside and Waste Service.
23. Co-ordination of delivery of the LNRS is supported by a grant of £135,000 from Defra, which will support this work until November 2026. It is anticipated that further grant funding will be received from Defra, if this were not forthcoming then the Council's capacity to co-ordinate delivery of the LNRS would be much reduced. Defra have indicated that funding to move to delivery post LNRS publication has been announced as part of integrated settlements. For organisations such as Oxfordshire County Council, not receiving an integrated settlement, any funding will continue to be provided through Section 31 grants; funding has not yet been confirmed. LNRS funding remains separate from BNG funding. Funding for LNRS delivery will not be included in the Local Government Finance Settlement.
24. The Thames Valley Environmental Records Centre, Oxfordshire Local Nature Partnership, Oxfordshire Wildlife Sites Project, Community Action Groups Oxfordshire, and Lower Windrush Valley Project are currently supported by funding from the Council and the future actions have been written with the assumption that this level of funding continues. The exception to this is the Oxfordshire Wildlife Sites Project, where an increase in budget has already been sought through the budget setting process for 26/27; the wording of the action reflects that the 26/27 budget has not yet been agreed.

25. Alongside an annual grant from Oxfordshire County Council, the Lower Windrush Valley Project is supported by Section 106 funding; unless further Section 106 funding is forthcoming to support the project, this source of funding will run out in the next 2-3 years. Unless another source of funding is secured the Project's scope would be much reduced.
26. Some of the actions, including towards supporting strategic projects to deliver the LNRS, and Oxon Green Futures will seek to attract private investment to support nature recovery in the County. If habitat banks on Council land are established, it is intended that these would generate income.

Comments checked by:

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Legal Implications

27. Section 40 of the Natural Environment and Rural Communities Act 2006 ("NERC 2006") places a duty on the Council to conserve and enhance biodiversity.
28. Section 40A NERC 2006 requires the Council to publish a biodiversity report containing:
29. (a) a summary of the action the Council has taken over the period of the report, consistent with the proper exercise of its functions to further the general biodiversity objective for the purpose of complying with its duties under section 40(1) and (1A) of the NERC 2006

The summary needs to include reference to the policies and specific objectives that the action was taken pursuant to;

(b) a summary of the Council's plans for complying with those duties over the period of five years following the end of the period covered by the report,

(c) any quantitative data required to be included in the report by regulations under subsection (8)(b) of the NERC 2006, and

(d) any other information that the Council considers it appropriate to include in the report.

30. As the Council is a local planning authority, its biodiversity report must also contain—
- (a) a summary of the action taken in carrying out its functions under Schedule 7A to the Town and Country Planning Act 1990 (biodiversity gain as a condition of planning permission) over the period covered by the report,
 - (b) information about any biodiversity gains resulting or expected to result from biodiversity gain plans approved by it during that period, and
 - (c) a summary of its plans for carrying out those functions over the five year period following the end of the period covered by the report.
31. The biodiversity report must specify the period covered by the report. The first report must cover a period of no longer than three years and must be published within 12 weeks following the last day of that period.
32. Subsequent biodiversity reports must begin the day after the previous one ends and cover a period of no longer than five years.
33. The biodiversity reports must be produced to comply with the requirements of section 40 and 40A of the NERC 2006, and in accordance with [government guidance](#) and regulations.

Comments checked by:

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Staff Implications

34. There are no new or additional staff implications of approving the Biodiversity Report. The future actions listed are to be delivered through existing Council staff or through working with partner organisations.

Equality & Inclusion Implications

35. The Report has been screened for relevance against the Council's statutory duties to promote equality and an impact assessment (EIA) has been completed. The EIA has concluded that the actions taken and those planned for the future do not bias, discriminate or unfairly disadvantage individuals or groups within the community. However, the need to ensure that actions relating to training and communications are accessible to all, in line with existing Council standards is identified.

36. Positive impacts are identified in relation to addressing inequalities in access to nature, particularly in relation to areas of deprivation. In relation to wider impacts: policies are introduced which apply across Council services; positive impacts are identified in relation to staff, through actions to improve skills, tools and culture in relating to the conservation and enhancement of biodiversity.

Sustainability Implications

37. A Climate Impact Assessment (CIA) has been completed which demonstrates that the Biodiversity Report contributes positively towards the Councils climate and ecology commitments across wide range of the areas assessed.

Risk Management

38. Risks involved in the Biodiversity Report are limited as a large proportion of the report focuses on actions already taken. Therefore, risk only lies with commitment to the future actions and risks associated with not fulfilling the legislative requirements for biodiversity reporting.
39. Future actions: there is a risk that some of the future actions will prove not to be deliverable. This has been mitigated as much as possible through consultation across affected services areas in development of the actions. There is a remaining risk linked to those actions that are supported by grant funding from Defra and Section 106 funds, where security of this funding is not certain for the full 5 year period until the next Biodiversity Report is due. However, for most of these actions it is envisaged that the actions could still be taken forward, but with a much more limited scope.
40. Fulfilling legislative requirements: the risk of not fulfilling legislative requirements has been mitigated through following government published guidance on biodiversity reporting. To ensure that the Council is compliant with the legislation, the Biodiversity Report will need to be published by 25th March 2026; the recommendation in this report will enable the Council to comply with the legislative timetable.

Consultations

41. The content of the Biodiversity Report has been informed by an iterative internal consultation process starting in 2023 with an initial consideration of what the Council can do to conserve and enhance biodiversity. This included consideration of what the Council was currently doing, as well as potential future actions. Information was gathered from across Council services through an online 'Lunch and Learn' and an internal survey on Let's Talk; this was collated in the Initial Considerations Report 2023 (provided as a Background Paper to this report). The report was presented to and discussed at Directorate

Leadership Team meetings in early 2024 as a first step in informing development of the Biodiversity Action Framework and Action Plan.

42. Throughout 2024 and 2025 ongoing dialogue with relevant teams and data gathering refined the potential actions identified in the Initial Considerations report to inform development of the Biodiversity Action Framework and Action Plan. Drafts of the documents were consulted on internally through a Let's Talk survey and direct discussions with relevant teams between April and July 2025.
43. The Biodiversity Action Framework 2025-2030 and Action Plan 25/26 were approved by Cabinet in October 2025. The Biodiversity Report has drawn on the data gathered throughout this process, including the Initial Considerations Report 2023, as well as collecting feedback from lead officers for actions included in the Biodiversity Action Plans for 24/25 and 25/26 on progress made, as well as to inform the future actions included in the Biodiversity Report.

Paul Fermer
Director of Environment and Highways

Annex: Annex 1: Biodiversity Action at Oxfordshire County Council
Jan 2023-Dec2025

Background papers: Biodiversity Action Framework 2025-2030
Biodiversity Action Plan 25/26
Biodiversity Duty Initial Considerations Report

Other Documents: [Guidance on complying with the biodiversity duty](#)
[Guidance on reporting biodiversity duty actions](#)
[Oxfordshire Local Nature Recovery Strategy](#)
[Oxfordshire County Council Corporate Plan](#)
[Environmental Improvement Plan 2025](#)
[Section 40/40A Natural Environment and Rural Communities Act 2006 \(as amended\)](#)

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