

Oldham Council Complying with the Biodiversity Duty – First Considerations Report

1. Background

1.1 The Environment Act 2021 introduced a strengthened ‘biodiversity duty’ which requires all public authorities in England to consider what they can do to conserve and enhance biodiversity.

1.2 Oldham Council as a public authority, must:

1. Consider what we can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on our consideration.
3. Act to deliver our policies and achieve our objectives.

1.3 There is a need to complete our first consideration of what action Oldham Council intends to take for biodiversity no later than 1 January 2024 – this is our first consideration.

1.4 Following this initial consideration, Oldham Council must agree our policies and objectives as soon as possible after, take action and prepare the first formal Biodiversity Report on progress that has been made no later than 1 January 2026, thereafter, being repeated every five years.

1.5 The [Environmental Improvement Plan](#)¹ (EIP23), published in January 2023, sets out government plans for significantly improving the natural environment.

1.6 By 2030, the government has committed to:

- halt the decline in species abundance; and
- protect 30% of UK land.

1.7 By 2042, the government has committed to:

- increase species abundance by at least 10% from 2030, surpassing 2022 levels;
- restore or create at least 500,000 ha of a range of wildlife rich habitats;
- reduce the risk of species extinction; and
- restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term.

1.8 Action that Oldham Council takes for biodiversity will contribute to the achievement of national goals and targets on biodiversity.

2. Biodiversity Report

2.1 Local authorities (excluding parish councils) must write and publish a biodiversity report.

2.2 For local authorities and local planning authorities, the end date of the first reporting period should be no later than 1 January 2026.

¹ <https://www.gov.uk/government/publications/environmental-improvement-plan>

2.3 After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period. Oldham Council must publish all reports within 12 weeks of the reporting period end date.

Biodiversity Report contents – mandatory

2.4 By law, the biodiversity report must include:

- a summary of the action Oldham Council has taken to comply with the biodiversity duty;
- how Oldham Council plans to comply with the biodiversity duty in the next reporting period; and
- any other information you consider appropriate.

2.5 Reports from local planning authorities must also include:

- the actions they have carried out to meet biodiversity net gain obligations;
- details of biodiversity net gains resulting, or expected to result, from biodiversity gain plans they have approved; and
- how they plan to meet biodiversity net gain obligations in the next reporting period.

2.6 The required information can be provided in any way that Oldham Council chooses. However, Defra have provided a [template report structure](#)². Defra has stated that they intend to also provide a suggested format for tabulating information on biodiversity net gains.

² <https://www.gov.uk/guidance/reporting-your-biodiversity-duty-actions#example-report-structure>

3. Considerations for the actions that could be taken and the work that is currently underway

3.1 The section below sets out actions Oldham Council could consider taking as complying with the biodiversity duty. At this stage the actions are indicative to help focus considerations and are subject to change.

3.2 In general terms, the considerations are broken into two broad areas:

1. Review of policies; and
2. Review of land management practices.

Environment Strategy

3.3 The council is committed to preparing an Environment Strategy, which will then be refreshed to align with the Greater Manchester five-year Environment Plan refresh (expected to be in place from 2025).

3.4 The Environment Strategy, expected early 2024, will be prepared having regard to the need to comply with the above biodiversity duties.

3.5 The Environment Strategy could address the themes below and actions that will assist in complying with the duty.

Review internal policies and processes

3.6 Local authorities have internal and external policies and processes for staff and facilities that could affect biodiversity. Oldham Council can consider how such policies may affect biodiversity and seek to review and improve outcomes. Likewise, it may be that following a review it is felt that the policy or process does not need to be amended, for example if a policy has been recently refreshed that already has biodiversity duties in mind. Policies for the following could be considered:

- Planning policies – adoption of Places for Everyone (PfE) and review of the Oldham Local Plan and preparation of supplementary plans. Provides opportunities to ensure that policies are in place to protect biodiversity making clear links with other Local Plan objectives including climate change, green infrastructure (including delivery of Green Infrastructure Strategy), health and wellbeing and flood management and the emerging Local Nature Recovery Strategy.
- Review Green New Deal Strategy to consider whether biodiversity strand can be broadened.
- Environmental Policy and within this review waste, water and light policies.
- Transport – review of what transport policies are in place and whether there are any gaps which may impact on biodiversity.
- Procurement – review whether contracts could include any additional specifications which may have a positive impact on biodiversity
- Workforce Strategy – review new ways of working and staff training on biodiversity.

Local Nature Recovery Strategy

3.7 Local Nature Recovery Strategies are a new, England-wide system of spatial strategies that will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits.

3.8 Oldham Council is acting as a supporting authority, in the preparation of the Greater Manchester Local Nature Recovery Strategy (LNRS). We will provide constructive input into the LNRS and once in place will have regard to the LNRS in planning policy and decisions.

3.9 The council can look at the opportunities and priorities that emerge from the LNRS to help inform actions for biodiversity.

Planning Services and Biodiversity Net Gain (BNG)

3.10 Biodiversity Net Gain (BNG) is an approach to development or land management that aims to leave the natural environment in a measurably better state than it was beforehand.

3.11 Future development projects (apart from exempt developments) will need to achieve at least 10% biodiversity net gain. This will be on a phased rollout with major developments being mandatory from January 2024, small sites being mandatory from April 2024 and nationally significant infrastructure projects the end of 2025.

3.12 As a local planning authority, Oldham Council will need to demonstrate how it has achieved BNG through the reporting period.

3.13 Oldham Council has commissioned Greater Manchester Environment Fund (GMEF) to carry out preparatory work on eight council owned sites to determine if they can be used as supply sites for offsite BNG.

3.14 The preparatory on the supply sites is due to be completed end of 2023 and involves the following pieces of work:

1. Baseline Habitat Surveys - UKHABs surveys to establish habitat type and condition
2. Baseline Unit Assessment - Metric 4 baseline unit assessment pre-intervention
3. Development of the Management Plan - Meeting with wider countryside team to discuss and agree target habitat via BNG agreements
4. Unit Uplift Assessment - Completion of metric 4 post intervention
5. Costed Habitat Management and Monitoring Plan (HMMP) comprising:
 - a. Development of costed management plan
 - b. Identification of a suggested unit price for each supply site
 - c. Review and approval of the HMMP by Oldham Council
6. Registration of the initial sites on the GM BNG Supply Site Directory
7. Ensure supply site information is added / up to date on the GM directory as well as being promoted separately via GMEF website (more sites may be added to the directory over time)

3.15 Oldham Council is exploring options for procuring a third party to be responsible for selling and managing the biodiversity units on the sites going forward.

Protected sites

3.16 Some sites (assets) that we own and manage are protected by other legislation / nature designations. For example:

- Special Areas of Conservation or Special Protection Areas (SAC or SPA)
- Sites of Special Scientific Interest (SSSI)
- Sites of Biological Importance (SBIs)
- Local Nature Reserves (LNRs)

3.17 The EIP sets the expectation that all public authorities should ensure they have management plans in place to support their protected sites to reach favourable status. This appears to be in relation to Sites of Special Scientific Interest (SSSIs).

3.18 However, Oldham Council could identify which nature designations are within Oldham Council ownership, establish whether the condition needs to be improved and prioritise management plans for these sites to identify and implement the actions needed to improve site condition.

Land and property

3.19 There will be a need to consider how other land that we manage could conserve and enhance biodiversity. Oldham's Green Infrastructure Strategy identified that Oldham has the following types of green and blue spaces:

- Agricultural
- Allotments
- Amenity open space
- Grounds to public buildings
- Grounds to religious buildings
- Parks and gardens
- Private gardens
- Sport facilities
- Transport corridors
- Semi-natural habitats
- Water: watercourses, canals and reservoirs
- Trees and woodland

3.20 Table one shows the approximate percentage of GI type in Oldham's planning boundary:

Table 1: Green Infrastructure types in Oldham

| GI Type | Approximate hectares | Approximate Percentage (%) of Oldham borough land (planning authority) |
|--------------------------------|-----------------------------|---|
| Agricultural land | 2931 | 24.86 |
| Allotments | 17 | 0.14 |
| Amenity | 724 | 6.14 |
| Grounds to public buildings | 127 | 1.08 |
| Grounds to religious buildings | 64 | 0.54 |
| Parks and gardens | 79 | 0.67 |
| Private Gardens | 1370 | 11.62 |
| Sport facilities | 356 | 3.02 |
| Transport corridors | 55 | 0.47 |
| Other Greenspace | 189 | 1.60 |
| Semi-Natural Habitat | 2165 | 18.36 |
| Water | 163 | 1.38 |
| Coniferous woodland | 58 | 0.49 |
| Deciduous woodland | 726 | 6.16 |
| Other woodland | 23 | 0.20 |
| Unclassified | 19 | 0.16 |
| Urban | 2725 | 23.11 |

3.21 Please note this does not cover the part of the borough within the Peak District National Park (PDNP).

3.22 Oldham Council could review management policies for all landholdings and consider how it will determine the current biodiversity value and monitor success of any changes to management practices. These areas are valuable to biodiversity as they create habitats for wildlife and 'nature corridors' that connect existing habitats. This allows species to move between habitats, maintain or increase populations and be more resilient to climate change.

3.23 In addition, a lot of Oldham's Green Infrastructure is not within the council's ownership and therefore the council cannot directly control this land. The council could however consider partnership working and communications.

3.24 The council also owns assets that are not natural (buildings and the spaces around them) and could consider how we introduce green infrastructure such as green roofs, green walls, nest boxes, incorporating swales and planting native trees and wildflowers into the hard landscape to enhance biodiversity. The council can also consider how these assets are managed and, for example:

- whether we should remove vegetation around our buildings and if we do, when to do it;
- what chemicals we use on the premises;
- when we carry out maintenance work, to minimise disturbance to wildlife; or
- whether we can reduce the use of energy and water to help reduce pollution and address the pressure it puts on wildlife.

3.25 The council could undertake a review of its land and property assets and where appropriate identify actions that could be taken on it's land and property to enhance biodiversity.

Northern Roots

3.26 The Northern Roots charity is creating the UK's largest urban farm and eco-park on 160 acres of stunning, under-used green space, fifteen minutes on foot from Oldham town centre. A unique new community asset and visitor destination.

3.27 Northern Roots was initiated by Oldham Council, which owns most of the site. Over the last six years the Northern Roots team has been working with experts in business modelling, ecology, landscape architecture and green technologies, and consulting with local communities, to explore what could and should be done on the 160-acre Northern Roots site.

3.28 A masterplan was prepared followed by submission and approval of a planning application for a Visitor Centre, Learning Centre, Forestry Hub and Solar array and outline planning permission for an Urban Farm and swimming pond. As part of this, the scheme would result in BNG.

3.29 Northern Roots has calculated that the site can deliver a 25% increase in biodiversity and in doing so, generate future revenue for the project through BNG payments.

3.30 More information on Northern Roots is available at <https://northern-roots.uk/>.

Protected Landscapes

3.31 The council could also consider our role in relation to the Peak District National Park as part of Oldham borough falls within the Peak District National Park boundary. It is important to note that planning within Oldham does not cover this part of borough that overlaps although wider impacts are considered. However, Oldham Council needs to think about other functions within the Peak Park and could consider as part of this:

- opportunities and priorities for the Uplands and heaths within the Local Nature Recovery Strategy; and
- working in partnership to make improvements to nature in this area.

3.32 In addition, Oldham Council is working on a joint South Pennine Moors Special Area of Conservation (SAC)/Special Protection Area (SPA) Supplementary Planning Document (SPD) with Rochdale Council and Tameside Council, as part of the Places for Everyone Joint Development Plan Document (PfE). The need for the SPD has been identified through the Habitats Regulations Assessment (HRA) of PfE, which resulted in amendments to Policy JP-G5 Uplands to mitigate recreational impacts on the South Pennines SAC/SPA.

3.33 The amended policy, as set out in the PfE Composite Plan (October 2023) which sets out the proposed modifications to the Plan, states in criteria 7:

“7. Ensure that new development does not have an adverse impact on protected habitats of the South Pennine Moors SAC, the Peak District Moors SPA and the South Pennine Moors Phase 2 SPA from urban edge effects, loss of and/or disturbance to functionally linked habitats and recreation disturbances.

This will be implemented by:

(a) Within 400m of the SAC and SPAs boundaries, no development will be permitted, unless, as an exception, the development and/or its use would not have an adverse effect on the integrity of the SAC or SPAs;

(b) Within 2.5km of the SAC and SPAs boundaries, applications for new development should be accompanied by an assessment to determine if the development site provides foraging habitats for the qualifying bird species of the SPAs. If foraging habitats are found on site, appropriate avoidance and/or mitigation measures will be required;

(c) Within 7km of the SAC and SPAs boundaries, new residential development will be required to mitigate recreation disturbance impacts on the SAC and SPAs through:

- (i) the provision of on-site suitable alternative natural greenspace or financially contribute to off-site provision of such greenspace; and*
- (ii) A financial contribution to the implementation of a Strategic Access, Monitoring and Management Strategy for the SAC and SPAs.”*

3.34 The SPD will provide further advice on sub-criteria a, b and c. Although the part of Oldham covered by the PDNP is not covered by Oldham Local Planning Authority, the SPD will have implications for land within the Peak Park. It will help mitigate recreational impacts on the South Pennines nature designations.

Educate, advise and raise awareness

3.35 Increasing understanding of biodiversity and why it's important to conserve and enhance it can form part of the duty. This can encourage land managers, businesses and the general public to take action to benefit biodiversity.

3.36 Policies, objectives and actions for educating, advising and raising awareness of biodiversity matters, could include:

- involving the public in projects to improve biodiversity (such as Northern Roots)
- promoting funding to community groups
- feature biodiversity in public or internal communications
- use libraries and museums to raise awareness of biodiversity
- putting information boards in green spaces or offering guided walks
- including biodiversity considerations in advice for internal and external clients and service users
- educating staff on the biodiversity actions and why they're important
- raising public awareness of how gardens can support biodiversity
- advising / assisting schools on grants and projects to enhance biodiversity
- advising neighbourhood planning groups on policies related to biodiversity

Ecological data - Local Environmental Record Centre

3.37 The Local Environmental Record Centre covering the area of Oldham is the Greater Manchester Ecology Unit (GMEU). GMEU will have a role in assisting Oldham Council with assessing BNG metric calculations and monitoring management of BNG implementation.

3.38 GMEU holds much of the data on ecology and periodically reviews Sites of Biological Importance.

4. Summary of current work/action that would contribute to the biodiversity duty

4.1 The tables below set out some of the key work areas with clear links to the biodiversity duty, a summary of current action and where further work could take place.

Table 2: Policies and Objectives

| Work Area | Current Position | Action needed |
|--|---|---|
| Local Nature Recovery Strategy (LNRS) | Oldham Council constructively inputting into LNRS. | Finalisation of LNRS. Oldham Council to then have regard to the LNRS in policy and decision making. |
| Environment strategy | Environment Strategy being prepared. | Implement strategy over next two years and prepare refresh of Environment Strategy to bring in line with refresh of GM Environment Plan. Consider making Biodiversity Emergency declaration. |
| Green New Deal Strategy | Green New Deal Strategy approved 2020. | Consider whether review of strategy is needed with biodiversity duties in mind. |
| Adoption of Places for Everyone (PfE) Plan Joint Development Plan Document | PfE consultation on modifications took place 11 October - 6 December 2023. PfE includes Policy JP-G9 setting out requirement for no less than 10% BNG alongside other related policies on Green Infrastructure and climate change. PfE is supported by a HRA and SEA, which consider biodiversity duties. | Adoption to take place 2024 dependent on receipt of Inspectors Report finding the plan sound. |
| Oldham Local Plan Review | Oldham's Draft Local Plan includes policies on climate change, Green Infrastructure (embedding the recommendations of the | The Draft Local Plan to be consulted on early 2024. Work towards Publication Plan, |

| Work Area | Current Position | Action needed |
|--|--|---|
| | <p>Green Infrastructure Strategy), protecting Dark Skies and Tranquillity, water efficiency, and enhancing biodiversity, including policy to encourage BNG offsetting to be as close as possible to the development site.</p> <p>The Plan will also identify designations such as green corridors and Local Green Spaces.</p> <p>The Plan will be supported by Habitats Regulations Assessment and Strategic Environmental Assessment (or Environmental Outcomes Report), which consider biodiversity.</p> | submission and adoption of Oldham Local Plan. |
| Oldham Design Code | Work commencing alongside the Local Plan review. | To be completed by 2025/2026 |
| South Pennines SAC/SPA SPD | Joint SPD with Rochdale Council and Tameside council being drafted to manage recreational impacts on the SAC / SPA European designation. | SPD to be consulted on in 2024. |
| Transport policy (internal and external) | Review whether any updates are needed | |
| Environmental policy (internal) | Consider updating Environmental policy to address issues including waste, waster, lighting. | |
| Procurement | Consider addressing whether any criteria can be introduced around biodiversity measures | |
| Workforce Strategy | Consider reviewing and embed biodiversity duties. | |

Table 3: Land Ownership

| Work Area | Current Position | Action needed |
|---|---|---|
| Consider if land in the council's ownership can qualify as BNG supply sites for offsite BNG requirements | Preparatory work underway on eight supply sites. In addition, possibility of Northern Roots being able to offer BNG units. | To continue exploring whether sites can be registered for BNG offsite sale. |
| Management Plans for nature designations within council ownership. | Review of nature designations in council's ownership complete. | Review and consider which nature designations within council ownership need management plans. Commission management plans and implement to enhance biodiversity. |
| <p>Management of other Green Infrastructure not covered by nature designations, considering the types of GI listed in the GI Strategy and the below from government guidance:</p> <ul style="list-style-type: none"> • Cemeteries • parks and sports fields • amenity spaces and communal gardens • roadside and railway verges • field margins and hedgerows • rights of way and access routes • woodlands and nature reserves • canals and rivers • water-dependent habitats | Need to review management of other green assets. | Review management policies for all landholdings and consider how it will determine the current biodiversity value; identify management plans to enhance biodiversity and monitor success of any changes to management |
| Review management of other non-green (not natural) assets i.e. buildings and curtilage | Need to identify assets and consider actions such as: - how we introduce GI such as green roofs, green walls, nest boxes, incorporating swales | Implement and report on any agreed actions |

| Work Area | Current Position | Action needed |
|-----------|--|---------------|
| | <p>and planting native trees and wildflowers into the hard landscape to enhance biodiversity</p> <ul style="list-style-type: none"> - whether we should remove vegetation around buildings and if we do, when to do it - what chemicals we use on the premises - when we carry out maintenance work, to minimise disturbance to wildlife - whether we can reduce the use of energy and water to help reduce pollution and address the pressure it puts on wildlife | |

Table 4: Protected Landscapes

| Work Area | Current Position | Action needed |
|-----------------------------|--|--|
| Peak District National Park | <p>Oldham Council is also inputting into the LNRS which affects the PDNP, such as the Uplands.</p> <p>Oldham Council is working on a joint South Pennines Moors SAC/SPA SPD, which affects the PDNP.</p> | <p>Prepare LNRS and consider action to enhance biodiversity.</p> <p>Work in partnership to make improvements to nature in this area</p> <p>Adopt and implement SPD</p> |

Table 5: Educate, advise and raise awareness

| Work Area | Current Position | Action needed |
|---|--|--|
| <p>Need to consider programme of communications and opportunities such as:</p> <ul style="list-style-type: none"> -Including the public in projects such as town centre and Northern roots - Leaky dams -Use libraries / museums to raise awareness - Advice for internal / external clients for example information for householder permissions - Information boards / guided walks (could link this into work on SANGS too) <p>Educational / communications as part of works as part of the strategic Access, Monitoring and Management strategy for the South Pennines SAC /SPA SPD</p> <p>Staff training courses / communications</p> <p>Awareness raising to public on benefits of gardens and disadvantages of paving / artificial grass</p> | <p>Need to identify programme</p> | <p>Implement programme and report on success</p> |
| <p>Neighbourhood planning</p> | <p>Work with neighbourhood planning groups advising on policies relating to biodiversity and advise on HRA screening etc</p> | <p>Continue to advise and assist</p> |
| <p>Communities and volunteers</p> | <p>Identify and advise and assist community / voluntary groups</p> | |

Partnership working

| Work Area | Current Position | Action needed |
|------------------------------------|---|----------------------|
| City of Trees | Existing partnership work with organisation to enhance the biodiversity does take place, such as tree planting opportunities. | TBC |
| Moors for the Future | existing partnership work with organisation to enhance the biodiversity does take place in relation to the uplands. | TBC |
| Irwell and Upper Mersey Catchments | existing partnership work with organisation to enhance the biodiversity does take place in relation to catchment opportunities. | TBC |

Reporting

| Work Area | Current Position | Action needed |
|----------------------------------|---|--|
| BNG Implementation and reporting | GMEU to monitor management of BNG. | Report on BNG |
| Environmental Outcomes Report | Levelling Up and Regeneration Act 2023 will replace SEA and EAI with EOR. Secondary legislation to be released. | Await legislation and out in place systems to replace. |

