



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET – 5 MARCH 2026
Subject	BIODIVERSITY DUTY REPORT
Wards affected	All
Accountable member	Councillor Juliet Layton, Cabinet Member for Housing and Planning Email: Juliet.Layton@cotswold.gov.uk
Accountable officer	Geraldine LeCointe, Assistant Director - Planning Services Email: Geraldine.LeCointe@cotswold.gov.uk
Report author	Danielle Berry, Head of Natural, Built and Historic Environment Email: Danielle.Berry@cotswold.gov.uk
Summary/Purpose	To approve the biodiversity duty report for publication. Publication of this report is a legal requirement for all local authorities and must be completed no later than 2 March 2026.
Annexes	Annex A – biodiversity duty report
Recommendation(s)	That Cabinet resolves to: <ol style="list-style-type: none">1. Approve the biodiversity duty report within Annex A for publication.2. Delegate to the Assistant Director – Planning Services in consultation with the Cabinet Member for Housing and Planning to make presentational and minor editorial changes for publication.
Corporate priorities	<ul style="list-style-type: none">• Responding to the Climate Emergency
Key Decision	NO
Exempt	NO
Consultees/ Consultation	An internal consultation was undertaken with the Extended Management Team and the Corporate Leadership Team to support the identification of existing and emerging opportunities for the



COTSWOLD

District Council

	<p>Council to consider actions, consistent with the proper exercise of its functions, that conserve and enhance biodiversity.</p>
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1. EXECUTIVE SUMMARY

1.1 This report is seeking approval of the Council's biodiversity duty report, a legal requirement under the Environment Act 2021. The report outlines the actions the Council has already taken to meet its biodiversity duty, identifies further opportunities for the forthcoming reporting period, and provides a summary of the biodiversity net gain achieved, or expected to be achieved, through the approval of biodiversity gain plans.

2. BACKGROUND

2.1 England is widely recognised as one of the most nature-depleted countries in the world. In response, the Government has made legally binding commitments to halt these declines and support nature's recovery. A key part of this effort is the strengthened biodiversity duty, introduced through the Environment Act 2021.

2.2 The Natural Environment and Rural Communities (NERC) Act 2006 originally placed a specific duty on public authorities in exercising their functions to conserve biodiversity. The Environment Act 2021 has strengthened this duty by amending Section 40 of the NERC Act 2006 so that public authorities are now required to conserve and enhance biodiversity through the exercise of its functions.

2.3 Furthermore, the Environment Act 2021 also introduced reporting obligations for local planning authorities, which must publish a biodiversity report (Annex A) to evidence the actions taken to enhance and conserve biodiversity.

2.4 Guidance from the Department for Environment, Food and Rural Affairs (Defra) on when biodiversity duty reporting needs to be published states:

- The end date of the first reporting period should be no later than the 1st of January 2026.
- This report must be published within 12 weeks of the reporting period end date (26th March 2026).
- The next reporting period must be completed within 5 years from this end date.
- Local authorities must include the start and end dates of its reporting period in each report.



2.5 By law, the biodiversity duty report must include:

- A summary of the actions taken by the local authority to comply with the biodiversity duty.
- How the local authority plans to comply with its biodiversity duty in the next reporting period (2026-2030).
- Any other information the local authority considers appropriate.

2.6 Reports from local planning authorities must also include the following biodiversity net gain (BNG) information:

- The actions taken by the local planning authority to meet its BNG obligations.
- Details of BNG resulting, or expected to result, from approved biodiversity gain plans.
- How the local planning authority plans to meet its BNG obligations in the next reporting period.

3. MAIN POINTS

3.1 Annex A (Section 1 and Appendix 1) demonstrates and provides details on the policies, objective and actions that Cotswold District Council has implemented to meet the biodiversity duty across its function during this reporting period (1st January 2024 - 31st December 2025). The policies, objectives and actions in Appendix 1 provide either specifically, or in part, for biodiversity across the district.

3.2 Annex A (Section 2 and Appendix 1) outlines how Cotswold District Council intends to fulfil its biodiversity duty obligations during the next reporting period by continuing to apply and review its existing policies, objectives and actions. The Council will also prepare a new biodiversity action strategy, which will outline specific measures to conserve and enhance biodiversity across the district.

3.3 These measures will be guided by the opportunities identified in the Local Nature Recovery Strategy and by the findings of the Council's Ecological Emergency Action Plan review, scheduled for April 2026. Publication of the biodiversity action strategy will coincide with an update on the Council's Ecological Emergency Action Plan in 2027.



3.4 Annex A (Section 3 and Appendix 2) demonstrates how Cotswold District Council has met its Biodiversity Net Gain obligations this reporting period and how it will continue to meet these requirements in the next reporting period.

4. ALTERNATIVE OPTIONS

4.1 There are no suitable alternative options. The preparation and publication of a biodiversity duty report is a statutory requirement under the Environment Act 2021, and is a vital mechanism for ensuring transparency, accountability, and demonstrating the meaningful impact of local nature recovery efforts.

5. FINANCIAL IMPLICATIONS

5.1 The report raises no direct financial implications.

5.2 Members should be aware that as part of the funding simplification measures set out in the Local Government Finance Settlement (2026/27) 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.

5.3 This means the Council no longer receive BNG funding through Section 31 Grant as was previously the case. Subject to the level of funding the Council receives in a given financial year, the level of funding available to support BNG may be lower than it would have been previously. The Council has retained BNG funding received in previous financial years of £45k in an earmarked reserve which can be drawn down to support BNG activities.

6. LEGAL IMPLICATIONS

6.1 The report raises no direct legal implications.

7. RISK ASSESSMENT

7.1 Cotswold District Council is legally required under the Environment Act 2021 to publish a biodiversity duty report. Failure to do so could expose the council to legal challenge and result in reputational damage.



7.2 There is a risk that Cotswold District Council may lose access to biodiversity-related grant funding if the reporting requirements are not met.

8. EQUALITIES IMPACT

8.1 The report raises no direct impacts.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 The purpose of this report is to identify existing and emerging opportunities for the Council to consider actions, consistent with the proper exercise of its functions, that conserve and enhance biodiversity. As such, the report directly supports and addresses both the climate and the ecological emergencies.

10. BACKGROUND PAPERS

10.1 None

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