BIODIVERSITY DUTY

FIRST CONSIDERATION REPORT

October 2024

CONTENTS:

FIGURES:

TABLES:

1. BACKGROUND

1.1 This report raises awareness of the Biodiversity Duty for Local Authorities as set out in the 2021 Environment Act. In doing so it highlights the key plans, partnerships and Biodiversity Net Gain information from Cheltenham Borough Council in complying with the Duty.

1.2 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) requires that: *"Every public authority must, in exercising its functions, have regard, as far as is consistent with the proper exercise of those functions, to the purpose of <u>conserving</u> biodiversity."*

1.3 The Environment Act 2021 subsequently amended Section 40 of the NERC Act 2006 to strengthen this 'biodiversity duty'. Public authorities, such as Cheltenham Borough Council, to: Consider what they can do to <u>conserve and enhance</u> biodiversity; Agree policies and specific objectives based on their consideration; and Act to deliver their policies and achieve their objectives.

1.4 Similarly, in January 2023, the government published the Environmental Improvement Plan (EIP23) setting out the nation's commitments to halt the decline in species abundance and to protect 30% of UK land and sea for nature through the Nature Recovery Network by 2030. Moreover, by 2042, it sets the ambition to increase species abundance by at least 10%; create 500,000 hectares of wildlife habitats; reduce the risk of species extinction and restore 75% of one million hectares of protected sites to a favourable condition.

1.5 In this context, to inform a baseline of its biodiversity duty, public authorities are required to publish a 'first consideration' report setting out what actions it will be taking and how it will develop its objectives and policies to meet the biodiversity duty. Agreed actions should then be reconsidered within five years of completion of the previous consideration with subsequent rolling reconsiderations at a frequency of no longer than every five years.

1.6 This first consideration report is in practice report "zero", with the first full report on our biodiversity duty to be completed before January 2026.

2. REPORTING STRUCTURE

2.1 [Government guidance on reporting biodiversity duty actions](#) states that local planning authorities must mandatorily cover its current plans, partnerships, future actions, and information about Biodiversity Net Gain (BNG). Similarly, it is optional to report information about the local authority, achievements, impact, community work, performance indicators and BNG highlights and challenges.

2.2 Therefore, this report will structure the required information by covering: Cheltenham Borough Council's description; Adopted and emerging actions; partnerships and strategies; and Biodiversity Net Gain information.

2.3 This report was produced thanks to the collaboration of the Planning, Parks and Public Realm, and Climate teams of Cheltenham Borough Council.

3. CHELTENHAM BOROUGH COUNCIL'S DESCRIPTION

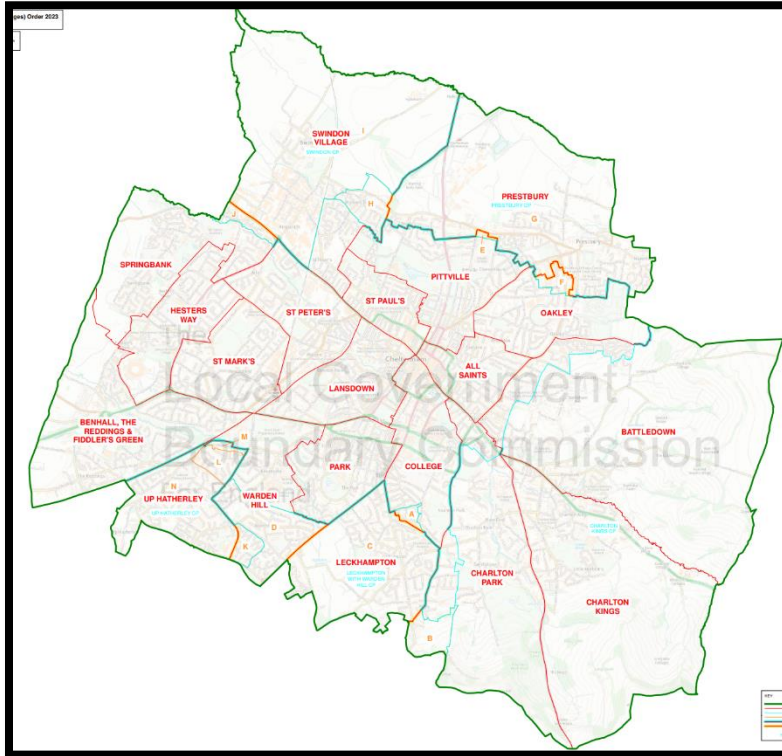3.1 Cheltenham is a district in the South West region of England. Located within the county of Gloucestershire, it is enclosed geographically by the neighbouring districts of Tewkesbury to the west and Cotswold to the east. The town has a population of 118,800 and a median age of 40 years according to the 2021 Census (Office for National Statistics).

Figure 1: Location of Cheltenham within Gloucestershire.

3.2 For administrative purposes, the town divides itself into 20 wards:

3.3 The Council's political composition consists of a cabinet system of nine executive posts with a Liberal Democrats majority encompassing 36 of 40 seats (May 2024 Election Results, Cheltenham Borough Council).

Figure 3: Political Composition of Cheltenham Borough Council.

Political group	Seats won	Percentage of seats
Liberal Democrats	36	90%
Green Party	3	7.5%
People Against Bureaucracy	1	2.5%
TOTAL	40	100%

3.4 The Council has a [Corporate Plan 2023-2027](), which sets out five key priorities.

1. Enhance Cheltenham's reputation as the cyber capital of the UK.

2. Working with residents, communities, and businesses to help make Cheltenham net zero by 2030.

3. Increasing the number of affordable homes through our £180m housing investment plan.

4. Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity.

5. Being a more modern, efficient, and financially sustainable council.

3.5 Cheltenham is surrounded by the Cotswolds Area of Outstanding Natural Beauty (AONB) and Green Belt. Several villages including Prestbury, Leckhampton and Charlton Kings lie within the borough, surrounding the tree-lined promenades and regency townscape in the centre.

3.6 Regarding Cheltenham's biodiversity, the town contains many habitats that harbour a rich array of wildlife. Ponds, railway cuttings, hedges and verges, small copses, parks, cemeteries, school playing fields, allotments and even old buildings all host a wealth of species ranging from larger mammals like foxes and badgers to wildflowers and butterflies.

3.7 Cheltenham has a long and distinguished history of tree cover dating back to the creation of the town and the then popular desire to plant both native and exotic trees. Some of these "original" trees are still alive today. However, the comparatively dense tree population in both private and public ownership fosters the same spirit of canopy cover, tree lined streets, and the varied and exotic nature of trees within public parks, gardens and open spaces of yesteryear.

3.8 The rural areas of the Borough also contain some very significant habitats; the limestone grassland flora of Leckhampton Hill (which is a Site of Special Scientific Interest (SSSI), rich in plant and insect species, and the ancient woodlands of the Cotswold escarpment being the most prominent features. Most areas of natural vegetation in the countryside support a great diversity of wildlife.

3.9 Many wildlife habitats are under severe threat from development and agricultural pressures; even a minor environmental change not requiring planning permission may radically alter the ecological balance and lead to the loss of valuable species. At the same time, wildlife areas need to be managed to ensure that certain invasive species do not destroy more sensitive flora and fauna. For example, sycamores and gorse can rapidly overrun a habitat and destroy the ecosystem's ability to support a diversity of wildlife.

4. ADOPTED AND EMERGING ACTIONS

4.1 ADOPTED ACTIONS:

The following table details the plans that Cheltenham Borough Council has set to meet its biodiversity duty, in chronological order.

Table 1: *Adopted Actions.*

Action	Description
Biodiversity Audit 2006	In March 2006 Cheltenham Borough Council commissioned Middlemarch Environmental Ltd to undertake a biodiversity audit of Cheltenham Borough with the purpose to: • Provide a consistent biodiversity baseline resource. • Provide management prescriptions. • Identify the potential for wildlife corridors. • Inform the Local Development Framework (LDF). • Inform the council's Green Space Strategy. The desk study identified 31 protected species within the Borough and identified the many benefits that an ecological assessment of Cheltenham Borough Open Space sites can yield. Where areas have been indicated as having high biodiversity value or where a protected species has either been recorded or has the potential to occur it is recommended that specific surveys are undertaken, at the appropriate time of year, to determine the precise value of the site. Such surveys would be particularly important prior to such sites being developed or a change in management being implemented. The management prescriptions are generic because of the scale at which the sites were assessed. Therefore, while the surveys and management prescriptions provide a good baseline it is recommended that detailed site-specific management plans are developed, particularly for the larger sites that have greater potential for habitat enhancement.
Green Space Strategy 2009-2024	A landmark document that joins-up the various elements of green space provision and management with strategic land management, sustainability, biodiversity, and resilience to climate change. Overall, the audit found that the borough has a significant amount of green space with almost 13% of the land mass of the area. Of the accessible green space, three

	quarters of the spaces are less than 0.5 hectares in size and only 2 sites (less than 1% of the total number) are over 20 hectares in size. The quantity overall equates to around 3.1 hectares per 1000 population.
Green Infrastructure Strategy 2014 (in the context of the JCS)	Green Infrastructure (GI) is the strategically planned and delivered network comprising the broadest range of high-quality green spaces and other environmental features. The Joint Core Strategy (JCS) GI strategy has its focus on connectivity and water, as brooks and streams flow through the principal settlements connecting people and wildlife. Recommendations for Cheltenham: • Further improvements to Leckhampton Hill to increase its attractiveness to people and wildlife. • Improvement to pinch points. • Increased connectivity and habitat improvements along the Honeybourne railway line and links to open countryside. • Further develop GI asset of the old Kingham line, particularly links to open countryside. • Better management of GI assets within public ownership, particularly habitat improvements along brook corridors. • Make the most of development opportunities on the periphery of the settlement to increase GI asset and facilitate connectivity with wider countryside, towards the Cotswolds and washlands of the River Severn. • Promote SUDS guidance that supports GI through an adopted design guide.
Cheltenham Borough Council Open Space Study Standards Paper 2016	This document assessed the quality, quantity and accessibility standards of current open spaces and provided six recommendations to inform local plan and supplementary planning documents, such as the inclusion of standards and identification of low-quality sites for enhancement. It helps identify the deficiencies and surpluses in existing and future provision. Moreover, thresholds were given for on-site and offsite new open space contributions from developments.
Joint Core Strategy 2017	The strategy states that "*Cheltenham will continue to follow the principles that has seen it referred to as 'a town within a park', retaining its Regency character, tree-lined promenades and streets, and attractive green spaces and squares, while creating*

	contemporary, new developments." Coherently, the development policies for biodiversity are as follows: Policy SD9 - Biodiversity and Geodiversity: • Legal safeguarding for European and National protected species. • Local sites contributing to a wider biodiversity network. • Encouraging new developments to include wildlife corridors. • Encouraging the creation of priority habitats and species. Policy INF3 - Green Infrastructure: • Improving linked green corridors. • Protect and contribute to ecosystem services. • Integrate and provide for future schemes.
Carbon Neutral Cheltenham Report 2019	Within the roadmap to eliminate the Borough carbon footprint, gave recommendations on rewilding and large tree planting schemes.

Cheltenham Plan 2020	• Identifies the Site of Special Scientific Interest (SSSI) at Charlton Kings Common and Leckhampton Hill for which Natural England must be consulted over any planning applications for development within, or which may indirectly affect, the SSSI. • Identify the habitats of the barn owl, badger and bat as relevant for protected species. • Identifies two Regionally Important Geological/Geomorphological Sites (RIGS) at Little Herberts Railway Cutting and at Charlton Kings Common. • Identifies five Local Wildlife Sites at: Kingham Line; Ravensgate Hill (Wistley Hill); Hartley Hill Field; Ashgrove Farm, and Glenfall Wood. • Identifies two designated Local Nature Reserves at Griffiths Avenue and at Pilley Bridge.
Climate Change SPD 2020	This Supplementary Planning Document (SPD) provides guidance on how applicants can successfully integrate a best-practice approach towards climate and biodiversity in their development proposals. "*All proposals need to protect existing and enhance future biodiversity value*" (p.26) by taking into consideration the proportionality and scale of the development, being assessed using the following criteria: • Connectivity of natural spaces. • Context – appropriate to the area. • Diversity and complexity of habitats. • Wellbeing – Connecting people with nature. • Nature recovery – delivering BNG. • Resilience to climate change and not requiring irrigation.
Climate Impact Assessment Tool 2022	As part of Cheltenham Borough Council's commitment to becoming a net zero Council and Borough by 2030, environmental and social implications of all projects, policies and decisions need to be considered at the earliest stages. The council approved the introduction of a Climate Impact Assessment Tool (CIAT) that prompts

	officers and Members to consider such implications and shape robust projects or policies by highlighting climate positive areas and areas with scope for improvement. Biodiversity is a section of the CIAT, meaning that all projects and policies which are approved at Council/Cabinet have considered the impacts to biodiversity, and through a review process have conducted consultation to mitigate any negative impacts.
Cheltenham Borough Council Corporate Plan 2023-2027	Within key priority 2 – Net Zero Cheltenham, there are two specific commitments to biodiversity: • Develop an Ecology and Biodiversity Supplementary Planning Document. • Retain Green Flag status for Cheltenham's parks and gardens.
Climate Emergency Action Plan (2024 update)	2020-2023 targets: • **Increasing Tree cover:** Update local planning strategies and work closely with other authorities, including GCC, to significantly increase tree cover across the borough and ensure existing trees are properly protected, to store carbon, support nature, aid flood protection and deliver health and wellbeing benefits. Increased canopy cover can also provide shade for people and buildings, cooling the air and ground temperatures in extreme heat. **2024 Update:** 1000 trees were planted during 2023, and support has been secured from GCC to plant a further 600 looking forwards. These were a mix of native and non-native species, large and small, short- and long-lived, with both insect and wind pollinated species. • **Managing Council Owned Land to Increase Biodiversity:** Manage council-owned land to increase biodiversity and reduce carbon pollution, i.e. through reduced pesticide use and mowing and increased planting of wildflowers and perennials. **2024 Update:** The Green spaces team provide a comprehensive annual summary to pick out the wide range of activities undertaken to improve biodiversity across the borough during 2023, this has included the implementation of no-mow May policy across a range of site, alongside perennials/ wildflower planting and work to reduce invasive Himalayan balsam. Furthermore, a seedbank of local wildflower species has been collected from North-facing grassland on Leckhampton Hill, to support wider replanting schemes across the borough.
Tree Inspection Protocol 2024	The council has a protocol setting out its approach to managing its tree stock, this was reviewed September 2024. It is an operational document that sets out the council's approach to managing its tree stock. It outlines our systems of management with the objective of maintaining canopy cover in an acceptably safe manner within

	the context of resources available together with setting out our approach to risk management of publicly owned trees within Cheltenham.

It does not relate to trees situated within the public highway (which are the responsibility of Gloucestershire County Council) nor trees on private or other land. It is striving to achieve a balance between the many and varied benefits of the existence trees in both an urban and rural setting and the risks posed by such trees through the implementation of what is reasonable and what is practicable in terms of management of such risk.

The protocol is underpinned by 5 key principles:
1. Trees provide a wide variety of benefits to society,
2. Trees are living organisms that naturally lose branches and fall,
3. The overall risk to human safety is extremely low,
4. Tree owners have a legal duty of care,
5. Tree owners should take a balanced and proportionate approach to tree safety management.

It was updated in 2024 to:

1. Reflect relevant arboriculture guidance and best practice on the management and maintenance of tree stock, and

2. Take account that Cheltenham Borough Council and Cheltenham Borough Homes, as of the 1st of July 2024 became a single organisation. This protocol covers all assets across Cheltenham Borough Council ownership. |
| **Ash Die Back Management Plan 2024** | Ash dieback (ADB) Hymenoscyphus fraxineus (formerly Chalara fraxinea), will likely lead to the gradual death of most ash trees within Cheltenham borough and indeed the country. The scale of death will be greater than the impact of Dutch elm disease in 70s. There is no way to reduce the spread of infection and the demise of these native (and exotic species) of ash trees. The council can only react to this die-back.

The ADB management plan is an operational and support document of the Council Tree Inspection Protocol. It is not possible to give precise numbers of ash trees on land controlled by public authorities across Cheltenham. There are 420 significant trees and groups of ash trees under routine inspection by Cheltenham Borough Council's Tree team. Some of these groups of trees are large (10,000+) and dense and there is a considered variable but generally low adjacent target. Whilst such a group is recorded as one tree, in reality there may actually be several hundred/thousand ash trees of varying size and maturity. |

4.2 EMERGING AND FUTURE ACTIONS:

The following table details the plans that Cheltenham Borough Council has set to meet its biodiversity duty, in chronological order.

Table 2: *Emerging and Future Actions.*

Action	Description
Community activities	Cheltenham Borough Council continues to work with community groups and organisations to engage and involve the public in delivering, managing, and monitoring biodiversity improvement, with actions including:

	• Working with the Gloucestershire Wildlife Trusts Adder project to survey, monitor and improve habitats on Leckhampton Hill within the project area. • Helping five community orchards and adding another four this Winter, which are being maintained by community groups. • Develop guidance and educational information about foraging in public green space • Working with Gloucestershire University and the Gloucestershire Bat Group to undertake bat walks and data capturing and sharing throughout the council's green spaces. • Working with the local Butterfly Trust to undertake butterfly and moth surveys. The data captured goes on the national database for species monitoring. A survey has been undertaken at Griffiths Avenue and Weavers Field and we a looking at expanding across Cheltenham. • Continue to work with current emerging local interest groups such as the Newt Conservation Trust. • Cheltenham Borough Council Flooding and Greenspace teams have been collaborating to control the non-native invasive Himalayan Balsam and remove litter from the river Chelt. The strategy included work with staff and local volunteers engaging and educating behind the reason to control the species and taking ownership of any Balsam in their local patch. Volunteer days have been organised by CBC with initial training and consultation provided by the Gloucestershire Wildlife Trust. Consultation with Environment Agency flood risk management team also took place to ensure vegetation cutting does not occur before balsam is pulled by hand at certain locations. Approximately £1.5k of funding has been provided by CBC for training and equipment costs for volunteer sessions and public information boards. For 2024 we have had 6 volunteer sessions between June and August covering a 5 km stretch of the river. 276 letters have been delivered to riparian owner properties in the last 2 years, in addition to the installation of information boards displayed in 5 key locations along the river. This has resulted in an increase in reported sightings by the public, which have been mapped to guide future control efforts. Progress can already be seen in the second year with locations pulled last year showing signs of less regrowth and the possibility of replanting more native plant species in their place.

	- In 2023, the Climate Changemakers project funded 11 resident led initiatives, 4 of which were biodiversity based. 1. St Peter' Orchard comprised of fruit tree planting in communal areas in St Peters. 2. Tree Planting in Sandford Park. 3. Love your streets – Planting flower species key for pollinators in St Pauls. 4. Nourish the bees – Planting wildflowers on the Honeybourne Line and local awareness raising. - The Green space team is undertaking a review of its volunteering processes and the support it can provide existing and emerging groups, to ensure that their potential and value is maximised

Grounds maintenance and management	- Reduction of intensive grass maintenance and increase in meadow style grass management. Examples, NO MOW MAY, Urban greening project and Habitat Cheltenham. - Reduced intensive maintenance of green space and playing field perimeters to encourage natural vegetated edges. - Most weed spaying has ceased in green spaces and long grass around obstacles trees and fences is largely accepted for its biodiversity benefits. - Review of grounds maintenance standards has commenced. This includes developing best practice guides for UBICO staff, volunteers, and park users. Pictorial guides will be published on the website and used as a service standard. - Mapping all CBC green space assets and UBICO operations on GIC database. This will assist in developing a mosaic of habitats across the urban environments. - Utilise GWT HabiMapping data to adapt current and future maintenance operations and link to Gloucestershire Local Nature Partnership Nature recovery strategy. HabiMapping has currently been undertaken by volunteers at Pittville Park, Leckhampton Hill and Benhall open space. - Since 2017 the Council has been transitioning former annual floral bedding displays to more sustainable perennial planting schemes that are more beneficial to urban wildlife and use less energy and resources in their production and maintenance. - Management of hedges, shrubberies and copses is undertaken to comply with wildlife and countryside act to ensure nesting birds and other important habits are not disturbed. - To encompass all the above best practice (and more) the council uses the national Green Flag park standard as a quality benchmark for management and maintenance of its green spaces. - Continue to undertake conservation grazing on Leckhampton hill SSSI using a small herd of Belted Galloway cattle to sustainably manage the limestone grassland.

	• Management of the council's tree stock, including works needed to address Ash Die Back. • A number of staff and volunteers attended pollinator training sessions, which aimed to increase biodiversity awareness, with a focus on solidary bees (largest group of bees in UK), to encourage and identify improvements to managing greenspace and project development. Through education, it increased internal understanding, enabling a more holistic thinking and approach to our work across the Council/Ubico, when considering biodiversity. • Continue to provide allotment holders with guidance on producing food while protecting and enhancing biodiversity and the environment.
Ongoing studies	The Council is undertaking a study to review CBC-owned landholdings to identify potential habitat banks for Biodiversity Net Gain (BNG) and their suitability to deliver Suitable Alternative Natural Greenspace (SANG) capacity. Similarly, the Council is securing funds to review and update its Tree Strategy.
Climate Emergency Action Plan (ongoing actions)	Sets out the following biodiversity actions: • Develop opportunities for Natural Flood Management (NFM) schemes across the borough to help mitigate flooding and adapt to climate change, using nature to hold and slow water run-off. • Seek to actively restore and expand ecosystems, with a focus on enhancing biodiversity and natural carbon sinks, including through market-based mechanisms that improve and safeguard our natural environment, such as the development of a habitat bank for biodiversity net gain credits. • To work with neighbours via the Gloucestershire Local Nature Partnership, ensuring nature and ecosystem restoration opportunities in Cheltenham are developed in tandem with broader regional strategies.
Nature Recovery SPD	CBC is making preparations for the creation of a Supplementary Planning Document about biodiversity, nature and BNG delivery.

5. STRATEGIES AND PARTNERSHIPS

5.1 COTSWOLD BEECHWOODS SAC RECREATION MITIGATION STRATEGY:

The strategy published in 2022 collectively by the district councils of Stroud, Cheltenham, Cotswold, Gloucester, and Tewksbury, provides a framework under which applications for development likely to have a significant effect on the Cotswold Beechwoods Special Area of Conservation (SAC) can be permitted so that any adverse effects on the integrity are avoided. From mid-late 2023, CBC has been collecting payments for Suitable Natural Alternative Greenspaces (SANGs) and Strategic Access Management and Monitoring (SAMM) delivery. In April 2024, the Cabinet committed to bringing forward a detailed action plan for Cheltenham borough that will look to utilise existing parks, gardens, public open spaces, accessible private green spaces and designated Local Green Spaces, including raising awareness of less well known spaces as well as considering new areas in each of these categories that may have the potential for enhanced public access and wherever possible deliver benefits for those communities most impacted by development and those with least access to nature in their neighbourhoods. Work is underway to bring this action plan forward.

5.2 STRATEGIC AND LOCAL PLAN (SLP):

Cheltenham Borough Council is currently working with Tewkesbury Borough Council and Gloucester City Council on a joint plan, called the Strategic and Local Plan (SLP). The SLP will replace the 2017 JCS and will provide strategic policies for the entire area as well as local policies specific to each local authority's boundaries.

The SLP will play an important role in establishing the principles of BNG in terms of providing clear policy wording, focusing on local and strategic priorities for biodiversity and identifying and allocating potential off-site areas for BNG, focusing enhancements which fit into local and strategic biodiversity priorities. The SLP is at Reg 18 stage, it had a first part of consultation on spatial options and key policy areas during early 2024 and a second phase is planned to consult on its preferred options next year.

In the context of this partnership, we issued a joint response to the Government's public consultation on the proposed changes to the National Planning Policy Framework (NPPF), supporting the proposals that relate to our biodiversity duty, such as the 'brownfield first' principle and the encouragement of green energy and green infrastructure developments.

5.3 GLOUCESTERSHIRE LOCAL NATURE RECOVERY STRATEGY (LNRS):

England is considered one of the most nature-depleted countries in the world following historic and ongoing declines. The government has made legally binding commitments to end these declines and for nature to recover it will require targeted, coordinated, and collaborative action.

Local Nature Recovery Strategies' purpose is to provide local maps of key habitats and set priorities for recovery. There are 48 responsible authorities across England to lead on preparing an LNRS, being Gloucestershire County Council the local one through the Gloucestershire Local Nature Partnership, of which Cheltenham Borough Council is part of.

The LNRS will inform the priority habitats and species in the emerging SLP and its policies, expected to be published next year. Furthermore, it will be a key evidence document for any biodiversity requirements (e.g. higher than 10%) and nature-related policies in the new SLP. For instance, it will give higher value in some areas when calculating Biodiversity Net Gain Units.

5.4 CBC MEMBERS APPOINTED TO OUTSIDE BODIES:

These are a number of organisations which are independent of Cheltenham Borough Council but have an impact on our service areas in relation to biodiversity. In order that the council can maintain effective partnerships with a number of these organisations, the following elected councillors sit on the various committees and forums that are responsible for them.

Table 3: *Elected members appointed to outside bodies*.

CBC Member	Outside body	Description
Councillor Martin Horwood, Cabinet Member for Economic Development, Wellbeing and Culture	Cotswold National Landscape	The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty, looked after by a small team working in partnership with a number of other organisations to conserve and enhance the natural beauty of the Cotswolds, increase understanding and enjoyment of its special qualities, and foster the social and economic well-being of local communities.
Councillor Paul Baker Councillor Angie Boyes	Friends of Leckhampton Hill and Charlton Kings Common	Leckhampton Hill and Charlton Kings Common lie on the edge of the Cotswolds escarpment, the main aspect of the hill being a cherished landscape feature clearly visible from many parts of Cheltenham. The Friends of Leckhampton Hill and Charlton Kings Common (FOLK) was formed in 2000 to represent the ecological, historical and recreational interests of all those who use and love the area.

6. BIODIVERSITY NET GAIN INFORMATION

The following table summarises the actions CBC has taken to meet biodiversity net gain (BNG) obligations (using DEFRA Guidance).

Table 4: *BNG Obligations and Actions.*

BNG Obligation	Actions by CBC
Check that all required information is submitted with planning applications for development that would be subject to the biodiversity gain condition	CBC has employed a Senior Planning Ecologist since June 2024
Check metric calculations submitted with planning applications for development that would be subject to the biodiversity gain condition	CBC has employed a Senior Planning Ecologist since June 2024
Check habitat survey information submitted with planning applications for development that would be subject to the biodiversity gain condition	CBC has employed a Senior Planning Ecologist since June 2024
Enter into legal agreements to secure biodiversity net gain being delivered	Is developing bespoke Section 106 agreement templates for BNG delivery with their legal teams, using the Planning Advisory Service's templates developed by Dentons. Conservation Covenants will be used where necessary.
Working with developers who wish to buy statutory biodiversity credits	CBC has employed a Senior Planning Ecologist since June 2024
Review and approve biodiversity gain plans submitted	CBC has employed a Senior Planning Ecologist since June 2024
Check the biodiversity gain sites register for off-site gains	CBC has employed a Senior Planning Ecologist since June 2024
Check the right statutory credits have been purchased (where necessary)	CBC has employed a Senior Planning Ecologist since June 2024
Monitor BNG where Cheltenham Borough Council is party to the legal agreement securing BNG	CBC is exploring options to improve their enforcement resources. Therefore, BNG will be monitored in line with the details of all Biodiversity Gain Plan and Habitat Management and Monitoring Plans (HMMPs) approved by the council, by the enforcement team and the Senior Planning Ecologist
Set local policies to support BNG	Is developing a Strategic and Local Plan with Gloucester City Council and Tewkesbury Borough

	Council, in which BNG and nature recovery policies will be included. CBC is considering producing a CBC Nature Recovery Supplementary Planning Document (SPD) alongside this (Covered in Parts 1 and 2 of this report)
Facilitate transactions of biodiversity units between buyer and sellers	CBC has employed a Senior Planning Ecologist since June 2024

Since BNG became mandatory for major applications on 2nd February 2024 and minor applications 2nd April 2024, Cheltenham Borough Council has approved one planning application where mandatory BNG was applicable.

Table 5: BNG Applications.

Application	Description	BNG calculation	Planning stage	Biodiversity Gain Plan approved
24/00236/FUL	Development of car park for 147 dwellinghouses (Class C3) incorporated into a part 4 storey / part 3 storey apartment block and 3 storey townhouses with associated works	122.90% net gain in area habitats 225.81% net gain in hedgerow habitats	S106 being finalised prior to decision notice being issued.	Conditioned

6.1 CHALLENGES:

- Considering regulations and restrictions on BNG delivery within CBC-owned land and small sites within the Borough.

- Resources to enforce BNG hierarchy for projects considering all possible scenarios.

- Guidance uncertainty in which data management is required for the 5-yearly Biodiversity Reports.

6.2 HIGHLIGHTS:

- The BNG regulations are being communicated on all non-exempt planning applications, improving local developers understanding of BNG because we have a part-time planning ecologist in the post reviewing BNG proposals.

- Our new senior ecologist has been undertaking internal staff training to the Planning, Tree, Climate, and Regeneration teams, with scheduled training for the Housing team during the following weeks, to raise awareness on CBC's biodiversity duty.

- We are updating the local validation list to better reflect our requirements for BNG from developers.