
Meeting of the Cabinet – 25th October, 2023

Report of the Director of Regeneration and Enterprise

Black Country Local Nature Recovery Map and Strategy

Purpose

1. This report informs Cabinet of the Black Country Local Nature Recovery Map and Strategy. The resulting recommendation is required to ensure that the Council's emerging Local Plan and planning decision making is based on up-to-date evidence and can continue to be used as the basis for robust and defensible planning decisions.

Recommendations

2. It is recommended that Cabinet: -
 - Adopt the Black Country Local Nature Recovery Map and Strategy attached as Appendix 1 to this report for planning purposes, including strategic delivery of biodiversity net gain in Dudley.

More details regarding the boundary changes can be found in section 3 of this report.

Background

3. It is a requirement of Natural Environment and Rural Communities (NERC) Act 2006 that all public bodies must have regard to biodiversity conservation when carrying out their duties and functions. The Nature Recovery Network (NRN) is a major commitment in the Government's 25 Year Environment Plan (2018) designed to help wildlife recover by providing more habitat, in better condition, in bigger patches that are more closely connected, as set out in Making Space for Nature (2010).

4. The Environment Act 2021 (the Act) introduced mandatory Local Nature Recovery Strategies (LNRS) to support spatial planning for nature and reverse the national decline in biodiversity. Local Nature Recovery Strategies will be prepared for 48 areas covering the whole of England and are intended to help deliver the Nature Recovery Network. Responsible authorities, chosen by the Government to prepare Local Nature Recovery Strategies, are required to work with stakeholders across the public, private and voluntary sectors to:
 - map the most valuable existing areas for nature;
 - agree nature recovery priorities; and
 - agree what actions should be taken to recover nature and where.
5. The Act also requires certain types of development to achieve 10% biodiversity net gain (BNG), either on site or off site, to be secured for at least 30 years. Biodiversity Net Gain will apply to all eligible planning applications submitted for major developments from January 2024 onwards (date to be confirmed), and minor developments from April 2024 onwards (date to be confirmed). A small amount of grant has been allocated to each local authority to support the introduction of Biodiversity Net Gain. Local Nature Recovery Strategies should help ensure delivery of Biodiversity Net Gain in the best locations to help nature recovery.
6. In June 2023, the Government appointed West Midlands Combined Authority (WMCA) as the responsible authority to produce a Local Nature Recovery Strategy for the WMCA area, which includes Dudley. The WMCA Local Nature Recovery Strategy will be an evidence-driven spatial plan for nature recovery and natural environment outcomes, developed through an ongoing process of consultation, including with local authorities, and will be finalised by early 2025. However, in the interim, Local Nature Recovery Strategy evidence is needed to support the introduction of Biodiversity Net Gain in January 2024 and preparation of the Dudley Local Plan (DLP).
7. During 2021-2022, the Birmingham and Black Country Wildlife Trust were commissioned by the four Black Country authorities to prepare a “Black Country Local Nature Recovery Map and Strategy: An Emerging Approach” (BC Local Nature Recovery Strategy) as interim Local Nature Recovery Strategy evidence to support the introduction of Biodiversity Net Gain and the emerging Black Country Plan which has now been replaced by the DLP.

8. The Black Country Local Nature Recovery Strategy (attached as Appendix 1) first sets out a comprehensive habitat baseline for the Black Country, developed using satellite imagery and existing survey data. Using this baseline, a Local Nature Recovery Opportunity Map has been produced which reflects how ecological value varies across the area and the strength of connections between habitats. This Map defines Core Landscapes (CL) - the most valuable habitats which are a priority for protection and restoration and Priority Network Restoration Zones (PNRZ) – which link CLs into a coherent network for nature recovery.
9. As shown on the map in Appendix 1 there are six Core Landscapes in Dudley, these are:
 - CL08 - The Limestone Way & Sedgley Park – which also crosses into Wolverhampton.
 - CL09 - Cotwall End, Fens Pool & Barrow Hill.
 - CL10 - The Rowley Hills, Bumble Hole & Warrens Hall – which also crosses into Sandwell.
 - CL11- Stour Valley.
 - CL12 – Pedmore, Wychbury and Lutley.
 - CL13 – Illey, Lapal and Hasbury.
10. The Black Country Local Nature Recovery Strategy followed the methodology being developed for national Local Nature Recovery Strategies at the time. As a result, the WMCA Local Nature Recovery Strategy to be produced during 2023-25 is likely to reflect the majority of the BC Local Nature Recovery Strategy methodology, evidence and outputs. Therefore, it is proposed that the Council adopt the Black Country Local Nature Recovery Strategy to use for planning purposes, including strategic delivery of Biodiversity Net Gain in Dudley, whilst awaiting finalisation of the WMCA Local Nature Recovery Strategy. This approach is in accordance with the current national advice.

Finance

11. The costs of undertaking the work were funded from existing budgets and resources.

Law

12. This piece of work is a key element for the evidence base of the Dudley Local Plan work.
13. In addition, the Natural Environment and Rural Communities Act 2006 (NERC Act) and the Wildlife and Countryside Act 1981 (as amended) both

place a legal duty on local authorities to conserve and protect biodiversity in the exercise of their functions.

14. The Environment Act 2021 also introduced a requirement for Local Nature Recovery Strategies.

Risk Management

15. There are not considered to be any material risks from this report.

Equality Impact

16. Having an adopted Local Nature Recovery Map and Strategy in advance of preparation of a WMCA Local Nature Recovery Strategy provides supporting evidence for preparation of the emerging Dudley Local Plan. An equalities impact assessment will be produced for each iteration of the Plan.

Human Resources/Organisational Development

17. There are no Human Resources/Organisational Development impacts resulting from the report as any requirements will be managed from within existing resources.

Commercial/Procurement

18. There are not considered to be any commercial/procurement implications because of this report.

Environment/Climate Change

19. Climate change, environmental and sustainability matters form a core element of any development plan. The Black Country Local Nature Recovery Strategy will help to support the aims of the Local Plan by providing relevant informational and a focus for opportunities to prioritise ecological restoration.

Council Priorities and Projects

20. The current council plan runs from 2022-25 and contains four priorities which are linked to the Borough Vision. Adoption of the Black Country Local Nature Recovery Strategy to use for planning purposes may have an indirect effect on the delivery on the outcomes within the priorities of 'safe and healthy borough' and 'destination of choice'.

- Safe and health borough - ‘people have a safe and welcoming outdoor environment’: protecting and restoring key areas for biodiversity will contribute to our outdoor spaces.
- Destination of choice – ‘we celebrate the diverse history, culture and heritage of our townships’ as was recognised through our Geopark status, the geology and natural environment of our borough is an intrinsic part of our history. Through protecting it we also protect our heritage.
- Destination of choice – ‘maximising use of brownfield sites’: through adopting the Black Country Local Nature Recovery Strategy we identify key areas of biodiversity and so can protect them from intrusive development, which in turn may also lead to increased brownfield site redevelopment.



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Appendices

Appendix 1 – Black Country Local Nature Recovery Map and Strategy: An Emerging Approach (2022)

Appendix 2 – Dudley Core Landscapes

Appendices are available on the [Committee Management Information System \(CMIS\)](#)

List of Background Documents

Black Country Local Nature Recovery Map and Strategy: An Emerging Approach (2022)

