



East Cambridgeshire  
District Council

# Conservation and Enhancement of Biodiversity. Step One – To Consider

A report setting what East Cambridgeshire District Council has considered as potential opportunities to further the general biodiversity objective of the conservation and enhancement of biodiversity, as required by S40(1) of the Natural Environment and Rural Communities Act 2006.

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**This policy aligns with the following UN Sustainability Goals**



**Goal 11 Sustainable Cities and Communities**



**Goal 13 Climate Action**



**Goal 14 Life Below Water**



**Goal 15 Life on Land**

# Contents

<b>1.</b>	<b>Introduction to the biodiversity duty</b>	<b>6</b>
	Introduction to the S40 biodiversity duty	6
	Introduction to the S40A biodiversity report	7
	This report	7
<b>2.</b>	<b>Biodiversity in East Cambridgeshire</b>	<b>8</b>
	Designated international nature conservation sites.	8
	Designated nationally important nature sites	11
	Locally designated nature sites	13
	Priority habitat restoration areas	13
	Habitats of principle importance	14
	East Cambridgeshire District Council’s declaration	14
<b>3.</b>	<b>Summary of what we have considered</b>	<b>15</b>
	Our requirement to consider	15
	Structure of this report	16
	Our wholly owned companies	16
<b>4.</b>	<b>Theme 1: Direct action</b>	<b>17</b>
	Theme 1.1: Our public parks and open spaces	17
	Theme 1.2: Our other land (excluding buildings, or land associated with buildings)	17
	Theme 1.3: Our buildings (including any owned by our trading companies)	17
	Theme 1.4: Staff training, education and opportunities for development	17
	Theme 1.5: Monitoring and publishing	17
	Policies and actions to deliver the identified direct action themes	17

<b>5.</b>	<b>Theme 2: Our policies</b>	<b>18</b>
	Theme 2.1: Planning policies	18
	Theme 2.2: Trees and woodland policies	18
	Theme 2.3: Environment policy/environment plan	18
	Theme 2.4: Biodiversity net gain related advice and procedures	18
	Theme 2.5: Procurement policy	18
	Theme 2.6: Other policies	18
<b>6.</b>	<b>Theme 3: Encourage and influence others</b>	<b>19</b>
	Theme 3.1: Influencing other authorities	19
	Theme 3.2: Influencing our own parish councils	19
	Theme 3.3: Support and influence other public bodies	19
	Theme 3.4: Encouraging our residents	19
	Theme 3.5: Encouraging our local businesses	19
<b>7.</b>	<b>Next Steps</b>	<b>20</b>
	Making information available	20
	Your ideas and suggestions	20

# 1. Introduction to the biodiversity duty

## Introduction to the S40 biodiversity duty

Public authorities who operate in England, such as East Cambridgeshire District Council, must consider what they can do to conserve and enhance biodiversity in England. This is known as the '**biodiversity duty**' as set out in S40(A1) of the [Natural Environment and Rural Communities Act 2006](#) (link takes you to web site), which was amended and strengthened by the Environment Act 2021.

This means that, as a public authority, East Cambridgeshire District Council must:

- **step one to consider** what it can do to conserve and enhance biodiversity (S40(1))
- **step two to agree** policies and specific objectives based on its consideration (S40(1A)(a))
- **step three to act** to deliver those policies and achieve those objectives (S40(1A)(b))

This three-step process of **consider – agree – act** must, by law, take place within certain timeframes.

Step one 'to consider' must take place by 1 January 2024 (S40(1C)). For East Cambridgeshire District Council, this consideration concluded in December 2023, and this document was published on its website in January 2024 to reflect the conclusion of that stage.

Step two of 'to agree' policies and objectives must take place as soon as possible after step one, though there is no specific prescribed period when this must take place by.

Step three of 'to act' must then take place, in light of those policies and objectives established at step two.

Step one must be repeated no later than five years after it was last taken (S40(1D)). This means, for East Cambridgeshire District Council, that step one must be repeated by no later than December 2028. However, step one can be done more frequently, for example every year or even every few months, as long as the period does not exceed five years. Each time step one is undertaken, step 2 and step 3 also must follow.

## Introduction to the S40A biodiversity report

In addition to all of the above, local authorities (excluding parish councils) and local planning authorities must also prepare and publish a **biodiversity report**. This is required under S40A of the [Natural Environment and Rural Communities Act 2006](#) (link takes you to web site) which came into effect on 1 January 2023. East Cambridgeshire District Council, therefore, must prepare such a biodiversity report. The period covered by that biodiversity report begins with the day on which the authority first becomes subject to the duty (S40A(6)(b)), this date being 1 January 2023, and is no longer than three years (S40A(6)(a)), this date therefore being 31 December 2025 at the latest. It must publish that report within 12 weeks of the end date of the report. This would be 24 March 2026, if the end date of the reporting period is 31 December 2025. The Council must then repeat this process at least once every five years thereafter (S40A(7)).

That **biodiversity report** must provide a summary of:

- the actions taken to comply with the biodiversity duty (as introduced in the above paragraphs)
- how we plan to comply with the biodiversity duty in the next reporting period
- the actions carried out to meet biodiversity net gain (BNG) obligations, together with proposed actions to meet BNG
- any other information the council considers appropriate.

## This report

This report only fulfils the S40(1) duty of **step one to consider**. All other requirements set out above will be subject to separate documentation to be published in due course.

## 2. Biodiversity in East Cambridgeshire

The 2023 national [State of Nature report](#) (link takes you to a PDF with 108 pages) illustrates a 68% decline in plant species distribution, 32% decline in all species abundance since the 1970s in England, leaving 8,840 species in England threatened with extinction.

Closer to home, Cambridgeshire has one of the lowest proportions (under 10%) of Priority Habitats in England, the second lowest woodland cover (4.8%), and has existing ecologically important sites at threat of damage and conflicts from recreation and other factors.

Looking at East Cambridgeshire specifically, it was at one time one of the most biodiverse areas in the country, with extensive fenland areas, together with woodland or other shrubs on the higher grounds. However, the [WWT](#) (link takes you to the web site) estimates that only 1% of fenland habitat remains in the UK. In East Cambridgeshire, the vast majority of our fenland habitats have been lost to intensive and highly successfully food growing agriculture. We have an exceptionally low amount of tree cover, with the far south of the district being the only location for significant amounts of trees and woodlands.

Nevertheless, pockets of East Cambridgeshire are very nature rich or of very special habitat, so much so that several sites are designated as internationally important for wildlife.

### Designated international nature conservation sites.

Natura 2000 is a European network of protected nature areas where certain species of animal and their natural habitats are protected in order to preserve biodiversity. The Natura 2000 sites within or adjacent to East Cambridgeshire are identified in **Table 1** below. A map showing the location of these Natura 2000 Sites is provided overleaf in **Figure 1**.

In Table 1, it also identifies the more specific reason for its designation under the 3 labels

**Special Areas of Conservation (SAC)** sites are protected areas in the UK designated under the Conservation of Habitats and Species Regulations 2017. They are sites that will make a significant contribution to conserving the habitats and species that considered to be most in need of conservation at a European level.

**Special Protection Areas (SPA)** sites are protected areas for birds in the UK classified under the Conservation of Habitats and Species Regulations 2017 and are selected to protect one or more rare, threatened or vulnerable bird species.

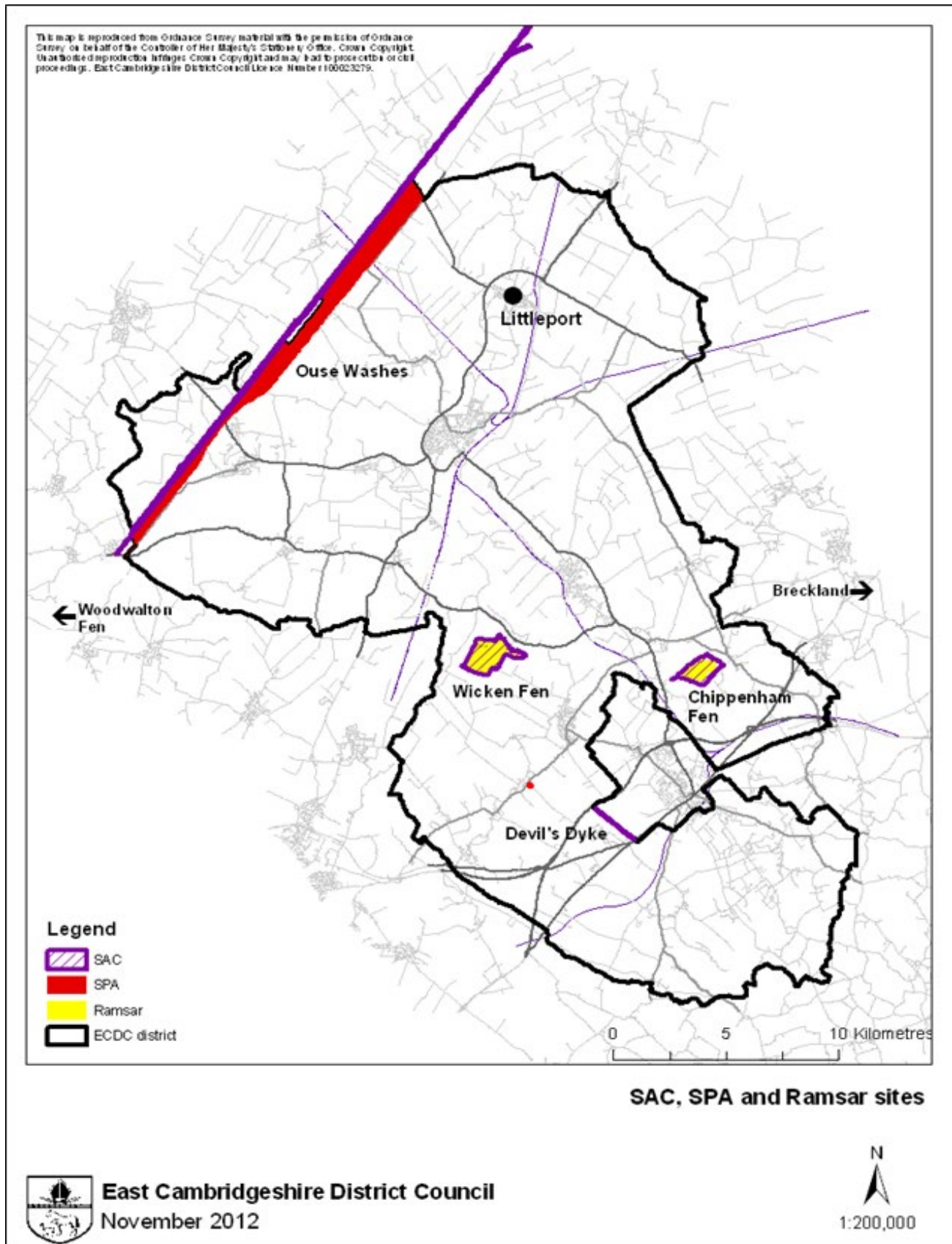
**Ramsar** sites are wetlands of international importance designated under the Ramsar Convention on wetlands: an intergovernmental treaty that aims to conserve wetlands through local and national action and international cooperation.



**Table 1: Natura 2000 Sites in or near East Cambridgeshire**

Site	Location	SAC	SPA	Ramsar
Fenland (Wicken Fen, Woodwalton Fen, Chippenham Fen)	Within (or partially within) the district (apart from the Woodwalton element, which is in Huntingdonshire district, and around 15km from the East Cambs district border)	yes	no	yes
Ouse Washes	Within (or partially within) the district	yes	yes	yes
Devil's Dyke	Within (or partially within) the district	yes	no	no
Breckland	Outside the district, but within 15km of East Cambridgeshire, and with buffer zones extending into the east of East Cambridgeshire, such as near Kennett	yes	yes	no

**Figure 2: Location of Natura 2000 sites**



## Designated nationally important nature sites

A Site of Special Scientific Interest (SSSI) is a formal UK conservation designation. Usually, it describes an area that's of particular interest to science due to the rare species of fauna or flora it contains. Sometimes a site is designated for its important geological or physiological features that may lie in its boundaries.

In simple terms, from a nature conservation perspective, these nationally important sites they are one step down from an international Natura 2000 site, but are more important than locally designated nature site.

**Table 2:** SSSI sites in East Cambridgeshire

Site	Location
Ouse Washes SSSI	Large SSSI covering the Ouse Washes, including land outside of East Cambridgeshire. The SSSI is similar (but not exactly) also covered by its Nature 2000 designations
Chettisham Meadows SSSI	A special grassland site, just north of Ely
Ely Pitts and Meadows SSSI	This site on the south-eastern outskirts of Ely is the only SSSI in the country designated for both nature and geological interest. The focus is on the wetland habitats found at the site, as well as plesiosaurs, ichthyosaurs and sauropod dinosaurs finds
Delph Bridge Drain SSSI	A very small site between Ely and Soham, with the only known British population of fen ragwort, which was previously believed to have become extinct in the UK in 1857, due to habitat destruction
Cam Washes SSSI	This site on the banks of the River Cam west of Wicken and is composed of pastures which are seasonally flooded, and an important site for wintering and breeding wildfowl and waders
Upware North Pit SSSI	A small site, very close to the Cam Washes SSSI, designated for aquatic plants including one of only two British sites which has water germander

<b>Site</b>	<b>Location</b>
Wicken Fen SSSI	The SSSI is the same area as its Nature 2000 designations
Soham Wet Horse Fen SSSI	A grassland with diverse fauna and flora, located just to the south-east of Soham
Brackland Rough SSSI	A rare wet woodland site, just south of Fordham
Chippenham Fen and Snailwell Poor's Fen SSSI	The SSSI is the same area as its Nature 2000 designations
Snailwell Meadows SSSI	Mixed grasslands, with rare herbs, just north of Snailwell
Devil's Dyke SSSI	This chalk grassland based SSSI covers a larger extent of the Devil's Dyke earthworks than its smaller Natura 2000 designation
Newmarket Heath SSSI	This chalk grassland site is mostly located in West Suffolk district, and covers large areas of the Newmarket racecourse. However, a small area extends into East Cambridgeshire
Stow-cum-Quy Fen SSSI	Only a tiny amount of this site falls in East Cambridgeshire, the vast majority in South Cambridgeshire. The site is calcareous loam pasture, with diverse flora and open pools which have rare aquatic plants
Ten Wood SSSI	An ancient woodland in the far south of the district
Out and Plunder Woods SSSI	An ancient woodland in the far south of the district
Park Wood SSSI	An ancient woodland in the far south of the district
Shippea Hill SSSI	This is a geological based SSSI
Upware Bridge Pit North SSSI	This is a geological based SSSI
Upware South Pit SSSI	This is a geological based SSSI

## Locally designated nature sites

Below nationally designated sites, the East Cambridgeshire Local Plan (2015) (as amended 2023) highlights the following quantity of locally based nature designations in the district, and includes locally specific policy on them, with two Supplementary Planning Documents also listing such sites and providing further advice, namely the County Wildlife Sites SPD (2010) and the Natural Environment SPD (2020).

Type	Number of sites within East Cambridgeshire (as at 2015 Local Plan adoption)
County Wildlife Site (CWS)	81
Local Nature Reserve (LNR)	2 (Isleham and Little Downham)
Protected Roadside Verge (PRV)	12
Ancient Woodland	24

## Priority habitat restoration areas

In order to identify priority areas for nature recovery in the district, in 2022 the council adopted An [Interim Nature Recovery Network for East Cambridgeshire](#) (link takes you to a PDF with 54 pages)

That document identifies and maps nine priority areas, where opportunities for nature recovery might be the most effective. It also sets out the rationale for their identification and the potential measures which could be taken.

The document will form an important evidence base for the production of a Local Nature Recovery Strategy (LNRS) for the Cambridgeshire – Peterborough area, which is due to be completed in 2025. Prior to the LNRS, the District Council regards the document as being an interim document prior to LNRS for the purpose of, for example, BNG implementation in the planning system.

## Habitats of principle importance

In addition to all of the above designated or identified designated sites of importance, in more general terms the Habitats of Principal Importance that are known to be in East Cambridgeshire are:

Grasslands	Water	Woodlands
Lowland Grasslands	Rivers	Wood pasture and parkland
Calcareous grassland	Ponds	Hedgerows
Wetlands- including fenland	Lakes	Traditional Orchards
Reedbeds	Streams - chalk	Woodlands: lowland mixed deciduous, wet, boulder clay

## East Cambridgeshire District Council's declaration

East Cambridgeshire District Council has formally recognised the biodiversity crisis and is making every effort to reverse the decline in biodiversity in the district (and beyond, if appropriate to do so).

### 3. Summary of what we have considered

As a reminder, this document set out what we have done under our legal duty ‘to consider’ what it can do to conserve and enhance biodiversity.

As a district council, there are lots of activities we undertake that have the potential to assist with our duty to conserve and enhance biodiversity.

#### Our requirement to consider

We have focussed our ‘consideration’ of what those activities might be to within the geographical area of the district of East Cambridgeshire because we have very limited activities or influence beyond that geographical area. However, we are very mindful that biodiversity isn’t limited by geographical administrative boundaries, so we have been open to considering any activities which may help conserve or enhance biodiversity beyond our geographical administrative area, especially where certain habitats or landscapes go beyond our border.

As part of our ‘consideration’ we’ve also looked at existing or emerging biodiversity plans and strategies, including:

- the emerging Cambridgeshire-Peterborough Local Nature Recovery Strategy (LNRS), being preparation of which is being led by Cambridgeshire County Council
- protected site strategies, such as plans and actions published for the most special sites in the district such as Wicken Fen and the Ouse Washes, in line with guidance from Natural England
- locally important species conservation strategies, in line with guidance from Natural England
- our own existing plans and strategies

Having undertaken that consideration, we think there are three distinct thematic areas where East Cambridgeshire District Council could undertake activities to help conserve and enhance biodiversity.

#### **Theme 1: Direct Action**

By direct action, we mean undertaking activities ourselves, directly, to conserve and enhance biodiversity. For example, East Cambridgeshire District Council owns land (such as parks and open spaces) and property (such as office buildings), and it could take direct action on them to help conserve and enhance biodiversity.

#### **Theme 2: Our Policies**

East Cambridgeshire District Council has the statutory powers to set certain policies which other people or organisations must then comply with. The most obvious example is its planning policy powers, whereby it can require or expect developers to do certain things as part of their development proposals. The Council could use those powers to indirectly help conserve and enhance biodiversity.

### **Theme 3: Encourage and Influence Others**

East Cambridgeshire District Council is in an excellent position to encourage people or organisations to do certain things, even if it can't require them to do those actions. The Council can also encourage or influence other parties to do certain things. A good example is parish councils. As a district council, we can encourage, help and try to influence the policies and activities of parish councils, so that those parish councils can themselves maximise opportunities to conserve and enhance biodiversity.

#### **Structure of this report**

The rest of this report provides some brief further detail of what we have considered, using the three themes above.

#### **Our wholly owned companies**

East Cambridgeshire District Council has the following wholly owned companies:

- East Cambridgeshire Trading Company
- East Cambridgeshire Street Scene Limited

For the purpose of this report and for fulfilling the duty, we are assuming such companies are one and the same as being part of the council as a whole.



## 4. Theme 1: Direct action

By direct action, we mean undertaking activities ourselves, directly, to conserve and enhance biodiversity. We've considered this under a number of sub-themes, each of which are described below. We then set out, having considered each, whether we intend to establish (or update existing) policies for them, so that our duty to conserve and enhance biodiversity is embedded within them.

We will assess biodiversity at priority features and act appropriately to enhance biodiversity. Creating a habitat management plan and monitoring plan to ensure the long-term survival of nature at our sites.

### Theme 1.1: Our public parks and open spaces

The council owns and manages several public open spaces across the district. Some of these are formal (such as play areas, with equipment) and others are less formal but with good public access (such as grassed areas, or woodlands).

There is an opportunity to put in place strengthened biodiversity habitat management plans for these sites, with the aim of improving of not only biodiversity but also monitoring species over time to record changes in biodiversity.

### Theme 1.2: Our other land (excluding buildings, or land associated with buildings)

We own, or have very long leases, on other land which are not particularly accessible to the public. Some of this land we also lease out to tenants. As appropriate, there is an opportunity to put in place habitat management plans to improve biodiversity.

### Theme 1.3: Our buildings (including any owned by our trading companies)

Our buildings have the opportunity to be assessed to see if biodiversity can be improved on them.

### Theme 1.4: Staff training, education and opportunities for development

An important part of helping nature recover is to have a workforce which is knowledgeable and committed to it. There is an opportunity to further develop staff knowledge on opportunities that could exist.

### Theme 1.5: Monitoring and publishing

The Council acknowledges the importance of monitoring and reporting the outcomes of future actions and will publish reports online.

## Polices and actions to deliver the identified direct action themes

Following our consideration of the available evidence to date, we have identified the above main theme areas which have the opportunity for the council to take action to further its duty to help conserve and enhance biodiversity. Our next step is to agree policies and objectives to firm up those opportunities in to deliverable actions.

## 5. Theme 2: Our policies

Via the policies we set, we have identified considerable opportunities to assist in the conservation and enhancement of biodiversity. The following list those policies areas which we have considered and believe present opportunities to revise our policies in order to assist in our duty to help conserve and enhance biodiversity:

### Theme 2.1: Planning policies

Updating our Local Plan and Supplementary Planning Documents provide opportunities to strengthen our policies in respect of what we expect developers to deliver as part of their planning proposals.

### Theme 2.2: Trees and woodland policies

Updating our Trees and Woodland Strategy provides an opportunities to strengthen our policies in respect of how we will manage tree related proposals by developers and other people, as well as how we will manage our own tree stock.

### Theme 2.3: Environment policy/environment plan

Our annual Environment Plan can be reviewed to ensure it sets appropriate biodiversity policy.

### Theme 2.4: Biodiversity net gain related advice and procedures

BNG is mandatory from February 2024 and will require developers to achieve a 10% gain in biodiversity, post development being completed.

There is an opportunity to put in place policies or other guidance to ensure the effective implementation of BNG.

### Theme 2.5: Procurement policy

There is an opportunity to address biodiversity matters as and when our procurement policy is updated.

### Theme 2.6: Other policies

The Council adopts (and updates regularly) a wide range of other policies. Whilst many will have little opportunity for biodiversity measures to be introduced, we have considered there to be an opportunity to at least have an open mind on this, and take opportunities as they arise.

## 6. Theme 3: Encourage and influence others

We as a council have a strong leadership and engagement role, and we consider this brings considerable opportunity to influence a wide range of people, other councils, businesses and other organisations in our district.

### Theme 3.1: Influencing other authorities

We will consider how we can best help other local authorities to deliver biodiversity recovery within our district.

### Theme 3.2: Influencing our own parish councils

East Cambridgeshire District Council will consider how to support local Parish Councils to meet their statutory and one statutory biodiversity plans and strategies.

### Theme 3.3: Support and influence other public bodies

We acknowledge the need to work with others and we will consider how to support other public bodies to deliver biodiversity recovery within our district.

### Theme 3.4: Encouraging our residents

Public support is key to delivering biodiversity improvements within our district. We will consider the best ways to engage and enhance understanding of nature and opportunities for public involvement in projects.

### Theme 3.5: Encouraging our local businesses

We acknowledge the impact businesses can have on the biodiversity in our area and we will consider how to help businesses mitigate or create habitats within our district.

## 7. Next Steps

This document has summarised what the Council has considered, as part of its legal requirement to consider what opportunities there are to conserve and enhance biodiversity.

The next step is to firm up those opportunities identified and turn them in to specific policies and targets, and then acting on those policies and targets. We will start that process in 2024.

Of course, actions can be taken in advance of policies being updated or introduced, where it is practical, reasonable and affordable to do so

### Making information available

We intend to strengthen our availability of information relating to biodiversity on our website over 2024, so you can see clearly what we have done and what we plan to do.

### Your ideas and suggestions

We always welcome ideas and suggestions from you as to how we could do things better or more effective as a council. Please do contact us with suggestion as to how we can help boost the local natural environment in East Cambridgeshire.

End of Policy