

Report of:	Meeting	Date
Councillor Peter Le Marinel, Planning Policy and Economic Development Portfolio Holder and Steve Smith, Assistant Director of Planning and Building Control	Cabinet	4 September 2024

Lancashire Local Nature Recovery Strategy – Decision Making

Key decision: Yes

1. Purpose of report

1.1 To agree a process for the formal consideration of the Lancashire Local Nature Recovery Strategy (LNRS) (consultation draft and final document).

2. Council priorities

2.1 Providing opportunities for people to lead healthy and active lifestyles.

2.2 Supporting and championing Wyre’s growing tourism economy by promoting our coast to countryside offer.

2.3 Providing high quality parks and open spaces for everyone to enjoy.

2.4 Working with partners to ensure Wyre is healthier, safer and more environmentally sustainable.

3. Recommendations

3.1 That delegated authority be given to the Director of Communities and the Director of Environment in consultation with all relevant Portfolio Holders (i.e. the Planning and Economic Development Portfolio Holder, Leisure, Health and Community Engagement Portfolio Holder and Parks and Open Spaces Portfolio Holder) to jointly agree the draft Lancashire Local Nature Recovery Strategy for public consultation.

3.2 That delegated authority be given to the Director of Communities and the Director of Environment in consultation with all relevant Portfolio Holders

(i.e. the Planning and Economic Development Portfolio Holder, Leisure, Health and Community Engagement Portfolio Holder and Parks and Open Spaces Portfolio Holder) to jointly agree the submission Lancashire Local Nature Recovery Strategy.

4. Background

4.1 Local Nature Recovery Strategies (LNRS) were introduced in the Environment Act 2021 to drive nature's recovery and provide wider environmental improvements.

4.2 There are 48 strategy areas which cover the whole of England with no gaps or overlaps. The Secretary of State for Environment, Food and Rural Affairs (Defra) has appointed 'responsible authorities' to lead the preparation of the strategy for each area. Lancashire County Council (LCC) has been appointed as the responsible authority to produce the LNRS for Lancashire.

4.3 The main purpose of the LNRS is to identify locations to create or improve habitat most likely to provide the greatest benefit for nature and the wider environment.

4.4 To this end, Section 106 of the Environment Act 2021 requires that all LNRSs must contain a statement of biodiversity priorities and a local habitat map. Each LNRS will:

- agree priorities for nature's recovery;
- map the most valuable existing areas for nature, and;
- map specific proposals for creating or improving habitat for nature and wider environmental goals.

4.5 The strategies do not force the owners and managers of the land identified to make any changes.

4.6 This new system of spatial strategies will:

- support efforts to recover nature across England;
- help planning authorities incorporate nature recovery objectives;
- support the delivery of Biodiversity Net Gain (BNG), and;
- help deliver national environment targets.

4.7 The LNRS legislation requires that responsible authorities involve all Local Planning Authorities and Natural England, collectively termed 'supporting authorities', in the preparation process. Wyre council as the Local Planning Authority is a supporting authority. Supporting authorities have the opportunity to:

- work closely with the responsible authority and other supporting authorities to help shape the LNRS so that it aligns with their organisation's needs and priorities.
- provide local data and input information from other relevant strategies.

- periodically review and agree drafts of the LNRS. The Regulations provide all supporting authorities with the opportunity to review and agree drafts ahead of public consultation and publication to ensure widespread agreement on the content and approach.

4.8 The Regulations set out two key decisions required of supporting authorities:

- 1) to agree the consultation draft LNRS for Lancashire prior to consultation being undertaken, or to otherwise object, and;
- 2) to agree the final LNRS for Lancashire ahead of its publication, or to otherwise object.

4.9 In both cases, the supporting authority has a 28-day timeframe within which to either agree the document or submit an objection. If an objection is raised by a supporting authority at either stage, the responsible body is required to attempt to resolve the matter(s) before the process is allowed to continue. In both cases, the responsible authority can seek Secretary of State approval to continue with the process of publication.

4.10 The detailed process for agreeing the LNRS is set out in regulation in the form of the [Environment \(Local Nature Recovery Strategies\) \(Procedure\) Regulations 2023](#).

5. Key issues and proposals

5.1 Each supporting authority will need to put in place a decision-making process at each of the two stages set out above. Essentially this involves decisions on:

- whether to support the consultation draft and final LNRS.
- whether to make a formal objection to the consultation draft and final LNRS and, if so, on what grounds.

5.2 The timeframe for the publication of the LNRS is tight, with Defra wishing to see a final LNRS by the end of March 2025. This would require the supporting authorities being asked to sign off on the public consultation version, or raise an objection, before the end of 2024 with the public consultation on the draft document being carried out by LCC in early 2025.

5.3 The 28-day timeframe for supporting authorities to comment on and agree the draft LNRS and the publication version does not accord with the internal decision-making time frame for Cabinet.

5.4 Seeking formal Cabinet approval for a response relying on the normal schedule of meetings risks exceeding the legal timeframe. Although the council would be able to provide comment as part of the consultation on the draft LNRS, the formal role of the council as a supporting authority would be diminished. It is important that members and officers are able to fully support the LNRS process by providing comment and, if necessary,

critique of both the draft and final LNRS. In order to ensure that formal comment is provided within the 28-day timeframe whilst retaining Member involvement, it is recommended that approval be given to the use of delegated powers to agree the council's response in both instances. This would involve consultation with the relevant portfolio holders as follows:

- Planning Policy and Economic Development Portfolio Holder.
- Leisure, Health and Community Engagement Portfolio Holder.
- Parks and Open Spaces Portfolio Holder.

6. Alternative options considered and rejected

6.1 To maintain approval through Cabinet, a special Cabinet meeting or meetings could be scheduled as necessary. Rejected as described above owing to the view that delegating the powers to officers should be sufficient and still allow for Portfolio Holder oversight through regular briefings. Should any significant issues arise, Cabinet could still exercise their right to call a special meeting and make the final determination.

Financial, Legal/MO, and Climate Change implications	
Finance	No direct financial implications.
Legal/MO	The report summarises the legal position regarding sign-off of the consultation draft and final LNRS. It is consistent with the role of the council as a supporting authority that formal response is made with the legal timeframes set out in the regulations and that the council's decision-making processes enables this to happen.
Climate Change	This report approves the internal decision-making process on the LNRS and its consideration will have a climate impact. To mitigate against any negative climate impact officers and members must raise awareness of any objections on the draft Lancashire LNRS public consultation and Lancashire LNRS submission they may have which may negatively impact the climate and natural environment within the 28-day deadline to Lancashire County Council.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
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risks/implications	✓ / x
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community safety	x
equality and diversity	x
health and safety	x

asset management	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

None