

To: **Cabinet**
12 November 2024

**Draft Berkshire Local Nature Recovery Strategy –
Public Consultation
Executive Director of Place**

1 Purpose of report

- 1.1 To present a summary of the draft Berkshire local nature recovery strategy (LNRS) and the work undertaken to produce the strategy
- 1.2 To create the authority by which Bracknell Forest Council will approve or object to the content of the draft LNRS to be taken forward for full public consultation by the Royal Borough of Windsor and Maidenhead

**2 Cabinet member for Planning, Transport and Countryside
Introduction**

- 2.1 Local nature recovery strategies are being produced across England to help guide work for nature recovery so it can have the greatest impact. The Berkshire local nature recovery strategy is being led by the Royal Borough of Windsor and Maidenhead and Bracknell Forest Council has an important role as a supporting authority. RBWM has worked with a wide range of stakeholders to develop a draft strategy, which they would now like to take forward to public consultation. Bracknell Forest Council has the opportunity to agree or object to the draft going to public consultation. The recommendation is to agree. During the public consultation, Bracknell Forest Council will have the opportunity to provide more detailed feedback.
- 2.2 Borough priorities: Green and sustainable environment

3 Recommendation

- 3.1 The draft Berkshire Local Nature Recovery Strategy (LNRS) be approved to proceed to a 6-week public consultation as set out in para 6.11 of this report, provided the concerns raised by officers are adequately addressed before 23 November 2024.
- 3.2 Final authority to approve or object to the draft for public consultation is delegated to the Executive Director Place, in consultation with the Cabinet Member for Planning, Transport and Countryside.
- 3.3 Following public consultation the amended document will be brought to Cabinet for final approval.

4 Reasons for recommendation

- 4.1 Local nature recovery strategies are spatial strategies for nature and environmental improvement required by law under the Environment Act 2021. Each local nature recovery strategy will agree priorities for nature recovery and propose actions in locations where they would make a particular contribution to achieving those priorities.

- 4.2 Bracknell Forest falls within the Berkshire strategy area. The Secretary of State for Environment, Food and Rural Affairs has appointed the Royal Borough of Windsor and Maidenhead (RBWM) as the ‘responsible authority’ to lead the preparation of the Berkshire LNRS. The other Berkshire unitary authorities (including Bracknell Forest Council) and Natural England are ‘supporting authorities’.
- 4.3 This is the first time an LNRS has been produced in Berkshire and for all other LNRS areas in England.
- 4.4 RBWM has undertaken wide-ranging stakeholder engagement and worked collaboratively with partners over recent months to produce a draft Berkshire LNRS.
- 4.5 Under Regulation 7 of [Statutory Instruments 2023 No. 341: The Environment \(Local Nature Recovery Strategies\) \(Procedure\) Regulations 2023](#), RBWM as the responsible authority must provide all supporting authorities with a draft LNRS which it considers ready for consultation (the ‘consultation draft’) and request their comments.
- 4.6 Under Regulation 9, a supporting authority may raise a ‘pre-consultation objection’ within 28 days of receiving the consultation draft about the content of the LNRS or the way the responsible authority has prepared the draft.
- 4.7 On 14 October 2024, Bracknell Forest Council received the consultation draft. The formal 28-day pre-consultation period is 28 October to 23 November 2024. Links to the draft documents are included in Appendix 2. The draft is under review by Officers in discussion with the responsible authority and the other supporting authorities. The responsible authority has given assurances that the presentation of the written content will be improved ahead of the public consultation, including being made suitably accessible. Bracknell Forest Council officers consider that some improvements to the content is required ahead of public consultation. These are summarised in Appendix 3. The issues appear to have ready resolutions, given sufficient time to incorporate the changes. Bracknell Forest Council will continue to work with the Responsible Authority during the pre-consultation period to make essential amendments. Following these amendments, the recommendation will be that Bracknell Forest Council does not raise a pre-consultation objection and instead confirms in writing that Bracknell Forest Council is content for the public consultation to proceed. Due to the tight time constraints, it is recommended that final authority to approve the draft for public consultation is delegated to the Executive Director Place, in consultation with the Cabinet Member for Planning, Transport and Countryside. This will enable all the available time up to the deadline, and in the weeks following if required, to be used to work with the responsible authority to make the required changes.
- 4.8 Bracknell Forest Council and other stakeholders will have the opportunity to provide further detailed feedback during the public consultation which is due to take place from 2 January – 15 February 2025.

5 Alternative options considered

- 5.1 The alternative options are:
- 1) To raise an objection with the responsible authority about
 - a) the local nature recovery strategy; or

- b) the responsible authority's preparation of the local nature recovery strategy, including the extent to which the responsible authority has involved the supporting authority in that preparation.

These are the options for objection laid out in Regulation 9.

- 2) To provide no response and allow the 28 days to expire.
After this point, the responsible authority will be allowed to proceed to consultation, so this has the same effect as confirming we are content for the consultation to proceed.

- 5.2 The draft is under review and, as discussed above, some amendments must be agreed during the pre-consultation period before the public consultation can be recommended by officers. Overall, it is anticipated that Bracknell Forest Council will not wish to object to the draft Berkshire LNRS proceeding to public consultation, provided the current concerns have been addressed, because:
- The draft LNRS includes drafts of all the elements required under Section 106 of the Environment Act, which are:
 - a) a statement of biodiversity priorities for the strategy area, and
 - b) a local habitat map
 - The development of the draft LNRS has been undertaken collaboratively, with the involvement of Bracknell Forest Council and other stakeholders.
- Therefore, it is anticipated that there will not be a reason to object to the broad content or preparation of the draft LNRS.
- 5.3 As noted above, Bracknell Forest Council and other stakeholders will have the opportunity to provide further detailed feedback during the public consultation.
- 5.4 It is not an option to have no LNRS for Berkshire or for Bracknell Forest not to be covered by an LNRS. LNRS are required by law under the Environment Act 2021. There are 48 LNRS strategy areas which cover the whole of England with no gaps or overlaps.

6 Supporting information

LNRS background information

- 6.1 LNRS are spatial strategies to recover nature across England. Each LNRS will agree priorities for nature recovery and propose actions in the locations where it would make a particular contribution to achieving those priorities.
- 6.2 Each LNRS will be specific and tailored to its area, but every strategy must include:
- a statement of biodiversity priorities - to draw together existing information on the state of nature and the environment in the strategy area, to agree what the strategy is trying to achieve and to identify practical actions that could achieve them
 - a local habitat map – mapping existing areas of importance for biodiversity (designated sites) and areas that could become of particular importance for biodiversity and the environment, to help target action for nature recovery.

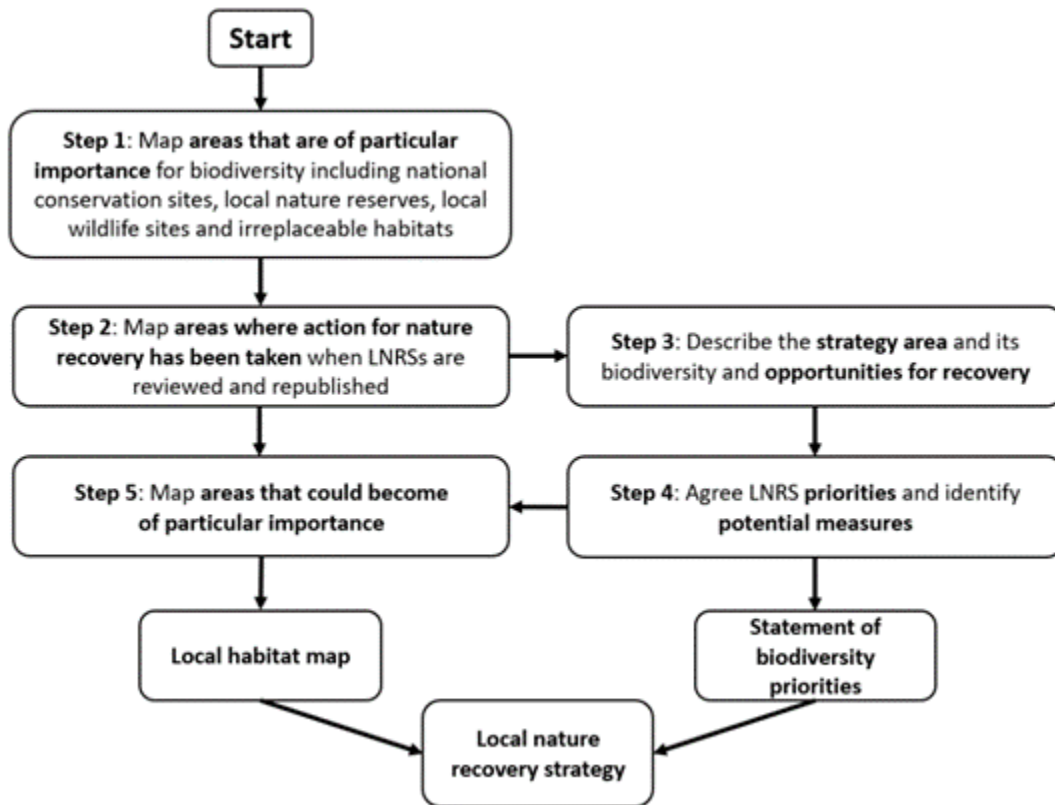


Figure 1: Steps to be followed in preparing contents of a local nature recovery strategy (from the local nature recovery strategy statutory guidance, March 2023)

- 6.3 LNRS are intended to guide where the public, private and voluntary sectors should focus nature recovery efforts for greater collective impact.
- 6.4 There is no requirement that any specific proposed action must be carried out. Government is putting in place measures to encourage actions in line with LNRSs including:
- a new duty on all public authorities to have regard to relevant LNRS
 - an incentive within biodiversity net gain calculations to take actions proposed in the LNRS
 - integration of LNRS into the planning system, so that areas of greatest potential for nature recovery can be better reflected in planning decisions
 - funding for specific activities that LNRS will be expected to propose locations for.
- 6.5 More information can be found in:
- Policy Paper - [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policy-papers/local-nature-recovery-strategies)
 - Statutory guidance - [Local nature recovery strategy statutory guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/local-nature-recovery-strategy-statutory-guidance.pdf)
 - Regulations - [The Environment \(Local Nature Recovery Strategies\) \(Procedure\) Regulations 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2023/1000/contents/part-1)

Development of the draft Berkshire LNRS

- 6.6 To develop the strategy collaboratively, RBWM as the responsible authority has set up a steering group and a number of working groups (listed in Appendix 1). They have also run various engagement processes and events (see next paragraph).

- 6.7 The draft Berkshire LNRS has been through the following stages of development:
Phase 1 (September-December 2023): Initial engagement with stakeholders through webinars, talks and a survey.
Phase 2 (March- April 2024): A survey and 10 workshops (3 for farmers and landowners and 6 for the wider public) to find out stakeholders' priorities for nature recovery across Berkshire, and measures to achieve this. An online map was used for people to pinpoint biodiversity sites and opportunities for nature recovery.
Phase 3 (June 2024): An update webinar following the workshops and survey.
Phase 4 (July to October): Finalising the Priorities and Measures and creating the Opportunity Map. Setting targets for nature recovery, running the Marxan programme and reviewing results with stakeholder groups.
- 6.8 More information is available on the RBWM Together website: [Berkshire's Local Nature Recovery Strategy | RBWM Together](#)
- 6.9 Bracknell Forest Council's Biodiversity Officer has been involved with the Mapping and Data Working Group and helped at the local landowner and public workshops, as well as receiving regular updates via the Berkshire Local Authority Ecologists monthly meetings. Bracknell Forest Council promoted the workshops internally and externally, and there was attendance from Officers, Councillors and members of local environment groups.
- 6.10 The consultation draft received by Bracknell Forest Council contains:
- A description of the area
 - A species shortlist
 - A list of priorities for nature recovery
 - A list of more specific measures to help achieve the priorities
 - An interactive map with layers showing:
 - Areas of particular importance (designated sites as described in Step 1 of Figure 1)
 - Areas where measures should be implemented (areas that could become of particular importance as described in Step 5 of Figure 1)
- See Appendix 2 for links to the draft reports.

Plan for consultation and next steps

- 6.11 The next stages and anticipated timescales for the Berkshire LNRS development and approval are:
- December 2024:** RBWM Cabinet/Council approval to go to consultation
- January to February 2025:** 6-week public consultation
- February to March 2025:** RBWM will review public consultation responses and make amendments to the strategy. Under Regulation 12, the responsible authority must publish all responses to the consultation.
- March to April 2025:** Supporting authorities are provided with the final LNRS and can each either accept or have the opportunity under Regulation 15 to give a 'publication advisory notice' to indicate that they believe that the strategy as a whole either cannot be justified based on the results of the consultation or is materially deficient (this will be the subject of a separate Bracknell Forest Council Cabinet decision in April 2025)
- May 2025:** (Assuming no publication advisory notices are given) Final LNRS goes to RBWM Cabinet for approval
- June 2025:** Publication of the Berkshire LNRS

- 6.12 RBWM has indicated that they plan to run some further engagement activities during the public consultation period.
- 6.13 Bracknell Forest Council will support public communications led by RBWM to encourage engagement with the consultation.
- 6.14 Internally, it is anticipated that Officers (particularly those in Parks & Countryside and Planning Policy) will review the public consultation documents and bring together a Bracknell Forest Council response. A briefing will be put together for Councillors to provide background information and promote the consultation. Councillors will have the opportunity to feed into the Bracknell Forest Council response. This will allow a wider group of Bracknell Forest Council Officers and Councillors to review the documents and provide feedback than those involved with the pre-consultation period.

7 Consultation and other considerations

Legal Advice

- 7.1 Local nature recovery strategies are a legal requirement under the [Environment Act 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2021/12/12/1).
- 7.2 The Regulations ([The Environment \(Local Nature Recovery Strategies\) \(Procedure\) Regulations 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2023/12/12/1)) detail further requirements regarding the consultation process. The public consultation will be led by Royal Borough of Windsor and Maidenhead as the responsible authority. Before going to consultation, Bracknell Forest Council as a supporting authority have an opportunity to object to either the content or the process of developing the draft LNRS.
- 7.3 Following publication of the final Berkshire LNRS, the Council will have a legal duty under the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2006/12/12/1), as amended by the Environment Act 2021, to have regard to the LNRS (Section 40, paragraph 2A).

Financial Advice

- 7.4 There will be no direct financial implications as the local nature recovery strategy is a strategy for guiding work for biodiversity across Berkshire. There is no requirement that any specific proposed action must be carried out.
- 7.5 However, as stated above, the Council will have to have regard to the LNRS and are likely to wish to undertake some of the measures in the LNRS. There may be financial implications of delivering this work. This will be explored as projects are worked up and agreed. Where possible the Council will look to use existing revenue budgets or try to secure external funding to support larger projects. Where this is not possible the timely identification of budget requirements will be required to be included within future years budget cycles.

Other consultation responses

- 7.6 The engagement process undertaken so far is described in paragraphs 6.6 and 6.7. More information is available on the RBWM Together website: [Berkshire's Local Nature Recovery Strategy | RBWM Together](https://www.rbwmtogether.org.uk/berkshires-local-nature-recovery-strategy)
- 7.7 The proposed 6-week consultation on the draft plan is aimed at the general public.

Equalities impact assessment

- 7.8 See Appendix 4.

Strategic risk management issues

- 7.9 As the report and recommendation seek to undertake a consultation process, there are no strategic risk management issues to address currently.

Climate change and ecological impact

- 7.10 The recommendations in section 2 above are expected to have no impact on emissions of CO₂.
- 7.11 The reason the Council believes that this will have no impact on emissions is because the LNRS is a strategy. Approving the draft for consultation will not have a direct impact on emissions.
- 7.12 However, by having a strategy in place to guide actions for nature recovery, the aim is to encourage and support actions such as tree planting and wetland restoration, which are likely to have positive impacts for both nature and climate change action.
- 7.13 While the LNRS is focused foremost on nature recovery, the [Local nature recovery strategy statutory guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90422/local-nature-recovery-strategy-statutory-guidance.pdf) includes the following with reference to climate change:
“Each statement of biodiversity priorities must set out ‘the priorities, in terms of habitats and species, for recovering or enhancing biodiversity (taking into account the contribution that recovering or enhancing biodiversity can also make to other environmental benefits)’...
The reference to ‘other environmental benefits’ is an important feature of local nature recovery strategies. This is how the strategies can include ‘nature-based solutions’ to address wider environmental issues as well as priorities for recovering or enhancing biodiversity...
Examples of wider national environmental objectives that all local nature recovery strategies should seek to contribute to are: • mitigating climate change (for example, through the potential measure of planting trees)”

Health & wellbeing considerations

- 7.14 As above, the LNRS is a strategy. Approving the draft for consultation will not have a direct impact on health and wellbeing. However, nature recovery actions will help support wildlife and habitats, allowing residents to get closer to nature. Access to nature has been proven to promote health and wellbeing. Supporting biodiversity will also be of benefit to the health of future generations.
- 7.15 The [Local nature recovery strategy statutory guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90422/local-nature-recovery-strategy-statutory-guidance.pdf) includes the following with reference to health and wellbeing:
“Strategy priorities should be the species and habitats that the strategy will focus on supporting, and achievable improvements to the wider natural environment through their conservation and enhancement. But recovering or enhancing biodiversity does not just benefit the natural environment. For example, improving biodiversity can help increase land value or support people’s health and wellbeing and access to nature. Whilst these co-benefits are different from the strategy priorities, responsible

authorities and local partners can propose action for biodiversity in ways and in places that will achieve them”

Contacts for further information

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Appendix 1: Steering Group & Working Groups

The steering group has the following membership:

- Berkshire Nature Partnership
- Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust
- Wokingham Borough Council, representing Berkshire ecologists
- West Berkshire Council representing local authorities of Berkshire
- Natural England
- Environment Agency
- Forestry Commission
- NFU (National Farmers Union)
- The Crown Estate
- University of Reading, Head, Agri-Environment Group
- The Royal Borough of Windsor and Maidenhead - Climate Change and Biodiversity Cabinet member

The following working groups have been brought together with specialists from across Berkshire:

- Farmer/Landowner Working Group
- Stakeholder Engagement Working Group
- Mapping and Data Working Group
- Species Recovery Working Group

Appendix 2

Royal Borough of Windsor and Maidenhead have provided a link to the pre-consultation draft documents - [Berkshire LNRS - Pre consultation Supporting Authority review | RBWM Together](#).

The key draft documents are:

- [Description of area and opportunities](#)
- [Priorities and measures](#)
- [Species shortlist](#)
- [Interactive habitat map](#)

Appendix 3

The following is a summary of concerns being raised by Bracknell Forest Council officers with the responsible authority, Royal Borough of Windsor and Maidenhead.

Pre-consultation changes

These issues are felt to be important to rectify ahead of the public consultation as they relate to errors which need correcting, the usability of the documents or concerns with the ecological soundness of the proposals.

General

- Ensure all content is fully proof-read and meets accessibility requirements.

Habitat Map

- Implement a coding/numbering system for priorities and measures within the maps and across all parts of the strategy

- Various minor corrections to text in pop-up sidebars
- Inclusion of a map legend

Description of Area and Opportunities

- Improve structure of text including clearer headings and sub-headings
- Early in the document include a simple map showing the area covered by the LNRS, and summary information about the process of developing the Berkshire LNRS. Consider reducing the text on the history of Berkshire and removing the map showing the old county boundary.

Priorities and measures

- As above, implement a coding/numbering system for priorities and measures
- Minor changes to wording of some of the measures to make them more clear and deliverable (eg. remove the word 'encourage')
- Review measure relating to creating scrub as this could be damaging to some heathland sites

Species shortlist

- List measures as bullet points to break up long sections of text
- Review explanatory text and bring together at the start of the document

Further feedback

Some feedback is likely to need further discussion. As far as possible these issues and suggestions for improvement will be worked on ahead of public consultation. However, it may not be possible to fully address these before the public consultation due to time constraints or the need to consider suggestions alongside other consultation responses. The feedback includes:

- Simplifying and improving usability of the habitat map
- Developing guidance on how the mapped and unmapped measures should be used to allocate 'strategic significance' in the Biodiversity Net Gain process
- Reviewing the description of area document as a whole to ensure consistent tone and a similar level of detail is included through the different sections and appendices.
- Refining wording of priorities and measures (for habitats and species) to ensure language is consistent and focused on nature recovery actions
- Reviewing measures with planning policy officers, particularly those which relate to dwellings and the planning process

Bracknell Forest Council officers will continue to work with RBWM on these issues and those raised by other supporting authorities and consultees throughout the remaining LNRS development period.

Appendix 4: Initial Equalities Screening Record Form

Date of Screening: 07/10/2024	Directorate: Place		Section: Parks and Countryside
1. Activity to be assessed	Berkshire local nature recovery strategy – approval for consultation		
2. What is the activity?	<input checked="" type="checkbox"/> Policy/strategy <input type="checkbox"/> Function/procedure <input type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change		
3. Is it a new or existing activity?	<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing		
4. Officer responsible for the screening	Rosie Lear, Biodiversity Officer		
5. Who are the members of the screening team?	Rosie Lear, Biodiversity Officer		
6. What is the purpose of the activity?	<p>Approval for the draft LNRS to be taken for public consultation by the responsible authority, Royal Borough of Windsor and Maidenhead.</p> <p>The public consultation will be aimed at the general public and allow everyone (including staff, councillors, stakeholders who have already been involved and wider stakeholders) to give their views and these will be used to refine the document.</p> <p>The LNRS is a spatial strategy for nature and environmental improvement required by law under the Environment Act 2021.</p>		
7. Who is the activity designed to benefit/target?	The draft Berkshire LNRS includes actions to support nature recovery across Berkshire. Access to nature has been proven to promote health and wellbeing, therefore everyone in the borough should benefit.		
Protected Characteristics	Please tick yes or no	Is there an impact? What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral please give a reason.	What evidence do you have to support this? E.g. equality monitoring data, consultation results, customer satisfaction information etc Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data
8. Disability Equality – this can include physical, mental health, learning or sensory disabilities and includes conditions such as dementia as well as hearing or sight impairment.	Y	N	The draft for public consultation will need to be accessible, for example to those using assistive technology such as screen readers. However, this is a matter for the responsible authority, RBWM, who will be leading the public consultation.

9. Racial equality	Y	N		
10. Gender equality	Y	N		
11. Sexual orientation equality	Y	N		
12. Gender re-assignment	Y	N		
13. Age equality	Y	N	There may be older residents who don't have access to online communications and may require hard copies. However, this is a matter for the responsible authority, RBWM, who will be leading the public consultation.	
14. Religion and belief equality	Y	N		
15. Pregnancy and maternity equality	Y	N		
16. Marriage and civil partnership equality	Y	N		
17. Please give details of any other potential impacts on any other group (e.g., those on lower incomes/carers/ex-offenders, armed forces communities) and on promoting good community relations.				
18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?	N/A			

19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?			
20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?	Y	N	
21. What further information or data is required to better understand the impact? Where and how can that information be obtained?			
22. On the basis of sections 7 – 17 above is a full impact assessment required?	Y	N	Please explain your decision. If you are not proceeding to a full equality impact assessment, make sure you have the evidence to justify this decision should you be challenged. If you are proceeding to a full equality impact assessment, please contact Harjit.Hunjan@bracknell-forest.gov.uk
23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.			
Action	Timescale	Person Responsible	Milestone/Success Criteria
Ahead of the consultation, discuss the options RBWM are providing to help make the draft strategy accessible, and if there is anything Bracknell Forest Council can do to support such as making hard copies available.	By 1 January 2025 (start of public consultation)	Rosie Lear, Biodiversity Officer	Any additional support identified between RBWM and Bracknell Forest Council is in place.
24. Which service, business or work plan will these actions be included in?			
25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?			
26. Assistant Director/Director signature.	Signature:		Date: