

**Meeting date:** 27th November 2025

**Report to:** CPH Climate Change and Planning Decision Session

**Report title:** Biodiversity Duty Report

**Report from:** Director of Economy and Infrastructure

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**Wards affected:**

- All Wards |  Bickenhill |  Blythe |  Castle Bromwich |  Chelmsley Wood |  
 Dorridge/Hockley Heath |  Elmdon |  Kingshurst/Fordbridge |  Knowle |  
 Lyndon |  Meriden |  Olton |  Shirley East |  Shirley South |  
 Shirley West |  Silhill |  Smith's Wood |  St Alphege
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**Public/private report:** Public

**Exempt by virtue of paragraph:**

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**1. Executive Summary**

- 1.1 The Environment Act 2021 introduced a strengthened 'biodiversity duty' requiring all public authorities in England to consider what they can do to conserve and enhance biodiversity. Local authorities and local planning authorities are required to publish a biodiversity report which sets out how they will comply with this duty and the actions they can take. Thereafter, authorities must publish an updated report within 5 years of the end date of the previous reporting period.
- 1.2 The end date of the first reporting period should be no later than 1 January 2026, and the report must be published within 12 weeks of the period's end. Therefore, for a reporting period ending 1 January 2026, the publication deadline is 26 March 2026

**2. Decision(s) Recommended**

- 2.1 Agree the content of the Draft Solihull Metropolitan Borough Council Biodiversity Duty Report (Appendix A)
- 2.2 To delegate authority for the Head of Planning Design and Engagement Services to make any minor amendments to the Council's Biodiversity Duty Report in consultation with the Cabinet Member for Climate Change and Planning for the reporting period

ending 1 January 2026; and

- 2.3 Agree to publish the Council's Biodiversity Duty Report prior to the publication deadline 26 March 2026

### 3. Matters for Consideration

- 3.1 Solihull Metropolitan Borough Council (the Council) has a statutory duty to conserve and enhance biodiversity (habitats and species) as set by the *Environment Act 2021* and the amended *Natural Environment and Rural Communities Act 2006* (NERC Act). This is known as 'the biodiversity duty'.
- 3.2 A key effect of the *Environment Act* was to amend, (from 1 January 2023), S40 of the *NERC Act* from a duty to "conserve" to a requirement to both 'conserve' and "enhance'. With the aim to provide for the enhancement or improvement of biodiversity, not just its maintenance in its current state.
- 3.3 To comply with the Biodiversity Duty the Council as a public authority, must
1. Consider what it can do to conserve and enhance biodiversity.
  2. Agree policies and specific objectives based on its consideration.
  3. Act to deliver its policies and achieve its objectives.
  4. Report on its biodiversity duty actions.
- 3.4 Implementation of the 'biodiversity duty' of the 2021 *Environment Act* required the Council, no later than 1<sup>st</sup> January 2024 to identify what we are doing or can do to conserve and enhance biodiversity. As soon as possible after this initial consideration the Council was required to agree policies and objectives to deliver these actions.
- 3.5 Although there was no guidance from Defra on what should be included in the first consideration, the Council took a report to the Cabinet Portfolio Holder Climate Change and Planning on 18th October 2023 to consider the Solihull '*Natural Capital Investment Strategy*' (NCIS) appended to this report, which refers to the Biodiversity Duty (Section 5).
- 3.6 The *Solihull NCIS* was referenced in the Council Plan Priorities, Deliverables and Outcomes update 2022 -2023 and was mentioned at Full Council on 9th July 2023, before going to Economic Development and Managed Growth Scrutiny Board 19th July 2023 and Cabinet Member on 18th October 2023 prior to consultation. The NCIS was adopted at the CPH Climate Change and Planning Decision Session 29th July 2024.
- 3.7 The NCIS seeks to coordinate efforts across the council to fulfil our Biodiversity Duty, amongst other natural capital objectives to address the biodiversity crisis and contribute to the achievement of national targets to halt the decline in species abundance and to significantly improve the natural environment. In addition to the *Solihull NCIS*, the Council are also a partner in the *Warwickshire NCIS* and have endorsed the document. The *Warwickshire NCIS* provides a greater focus on environment markets and financial intervention and investment, meaning it complements the work of the Councils' own NCIS, helping promote cross boundary working and delivery.
- 3.8 Government guidance provided advice on complying with the duty and reporting on this compliance. The end date of the first reporting period is stated as 'no later than 1st January 2026'. At this stage the Local Authority must publish a *Biodiversity Duty Report* within 12 weeks of the period's end to inform progress on actions taken. Therefore, for

a reporting period ending 1 January 2026, the publication deadline is 26 March 2026.

3.9 The end date of subsequent reporting periods should be no later than 5 years after the end of the previous reporting period i.e. the next reporting window will close no later than 1<sup>st</sup> January 2031. Reports would again be published within 12 weeks of the end of each reporting period. Defra has not clearly indicated how it intends to extract report content following publication by Local Authorities, and so further guidance may be forthcoming. Council officers will report to Members on the progress of the future Biodiversity reports and the actions being taken to meet our legislative requirements

3.10 By law, the report must include:

- A summary of the action the Council has taken to comply with the biodiversity duty.
- The policies and objectives the Council have set to meet our Biodiversity Duty.
- The actions the Council has completed, either alone or in partnership with others, that benefit biodiversity.
- An explanation as to how the Council has taken account of *Local Nature Recovery Strategies* (LNRS), protected site strategies and species conservation strategies.
- Set out how the Council plans to comply with the biodiversity duty in the next reporting period (five years).
- Set out the actions the Council has carried out to meet *Biodiversity Net Gain* (BNG) obligations.
- Provide details of BNG resulting, or expected to result, from *Biodiversity Gain Plans* the Council has approved.
- How the Council Plans to meet biodiversity net gain obligations in the next reporting period.
- Any other information the Council considers appropriate.

3.11 The biodiversity duty applies to all wards of the Council and across all service areas. However, the Councils' current *Biodiversity Duty Report* has been developed by officers in CLAUDE in consultation with officers from key service areas who currently participate in the Climate Change and Sustainability Group. This position will be updated and developed in subsequent reporting periods.

3.12 The attached *Biodiversity Duty Report (Appendix 1)* has followed advice provided by Defra to define its structure and content.

3.13 The *Biodiversity Duty Report* summaries the actions the Council has taken to comply with the biodiversity duty and demonstrates that Solihull Council has existing policy, strategy and team practices that will meet this duty.

Examples include:

- *Solihull's Natural Capital Investment Strategy (NCIS)*: The Council's strategic document for addressing the biodiversity crisis by protecting, restoring, and enhancing natural capital and the processes that support well-being. The plan aims to coordinate efforts across the borough and involves collaboration with communities, businesses, and third-sector organizations to enhance natural capital.

- Objectives in *Solihull's Climate Change Action Plan*, formally the Net Zero Action Plan (NZAP), adopted in 2021, to meet Solihull's 2041 net zero target, with biodiversity being a key component of its broader aims to improve the natural environment, air quality, and overall community well-being.
- *Solihull Clean Air Strategy (2024 - 2028)*, which summarises the impact air quality can have on habitats and the need to conserve and enhance biodiversity.
- *Solihull Economic Strategy 2023 - 2032*, which includes working with businesses for positive biodiversity gain.
- *Solihull Green Spaces Strategy Review (2014)*, which includes wildlife conservation, biodiversity and environmental education and awareness.
- *Solihull Urban Forestry Strategy (2019 – 2029)*, which seeks to protect, promote and enhance our urban forest.
- The Council's *Corporate Plan 2025 – 2030*, working towards an enhanced well-connected natural environment.

- 3.14 The report highlights projects such as the *Arden Free Tree Scheme*, in partnership with Birmingham Airport and the *Planting Our Future* campaign to plant a significant number of trees, contributing to carbon capture and enhancing the rural character of the Arden landscape and improving the urban environment.
- 3.15 The Council's biodiversity duty is also supported through the policies within the Council's adopted *Local Plan (2013)* that seek to protect and enhance biodiversity in new development and acknowledges that the setting of new objectives and policies will fall within the remit of the Local Plan Review. This includes in particular work carried out by the CLAUDE team and the LPA to prepare for BNG delivery mandatory from 12 February 2024, such as training for officers and members and the ongoing development of guidance to provide assistance for applicants for planning permission.
- 3.16 Following the introduction of statutory Biodiversity Net Gain, officers continue to work in support of the *West Midlands Local Nature Recovery Strategy* to integrate with other environmental and land use policies, such as Biodiversity Net Gain, to maximise their impact and the integration into local planning policy and development management decisions
- 3.17 The LPA's involvement in the *Warwickshire Local Nature Recovery Strategy* (LNRS) is also acknowledged.
- 3.18 The report also provides some examples of how matters relating to biodiversity are translated into actions on the ground through our award winning projects and programmes such as *Solihull Habitats and Nature Improvements Project* and *Wildlife Ways*, part funded by the *European Regional Development Fund* (ERDF), coordinated by the Council's CLAUDE team; who for many years in collaboration with the Council's Public Realm and Forestry teams, has managed an extensive range of sites across the Borough to be protected for their biodiversity interest for the benefit of people and wildlife. These teams continue to ensure the continued protection and enhancement of these sites through community involvement and conservation activities.
- 3.19 Existing action on biodiversity within the Council also involves working in partnership with other organisations such as neighbouring local authorities, the West Midlands Combined Authority, Warwickshire Wildlife Trust and the Environment Agency. Work has been identified to further current partnership working and to seek new partnerships

to improve outcomes for biodiversity. The Council also maintains and supports a network of conservation volunteers who help promote and preserve the Borough's natural environment.

3.20 The *Biodiversity Duty Report* also explains how Solihull Council plans to fulfil its biodiversity duty over the next 5 years following the end of this reporting period. The table at Section Two of the report summarises the Council's current and planned actions that contribute towards the Biodiversity Duty and future actions which will be considered going forward. Areas of further work under consideration includes (but is not limited to):

- Delivery of key actions within the *Councils NCIS Delivery Plan*.
- To work with neighbouring authorities and regional bodies like the West Midlands Combined Authority on large-scale nature recovery strategies such as the *WMCA LNRS* that transcend administrative boundaries. Together with strategic partners and organisations like Warwickshire Wildlife Trust, the Environment Agency and HS2 to identify and develop habitat creation opportunities.
- To update environmental policy through the new *Local Plan*. Including the integration into local planning policy and development management decisions of species conservation strategies and protected site strategies as and when progressed by the national government.
- To explore options for BNG investment across the region with neighbouring authorities where benefits can be identified in a strategic context. Including the assessment of Council owned land for consideration as potential biodiversity net gain receptor sites.
- Review protection measures for our most threatened habitats and species and work with others to identify positive actions to support their recovery e.g. heathland, wet grassland and native, white-clawed crayfish; and
- The Council will also look to take account of the strengthened biodiversity duty in a number of its policies and strategies as they are reviewed or developed.

3.21 The Report concludes by summarising a number of biodiversity achievements and challenges over the reporting period. For example:

*Achievements:*

- Proactive environmental policies: In addition to the *Local Plan*, to ensure a net gain in biodiversity on new developments, the Council has adopted forward-looking strategies and plans to safeguard its natural environment, such as the *Natural Capital Investment Strategy* and the *Climate Change Action Plan* (Formally NZAP).
- Significant conservation successes: Since 2016 Solihull Council has undertaken a wide range of habitat and nature improvement projects across the borough. Delivered through successful external funding grants, which have received both local and national acclaim through a number of awards to date. Noteworthy achievements include:
  - *Solihull Habitat and Nature Improvements project*: 2022 Chartered Institute

of Ecology and Environmental Management (*CIEEM*) *Best Practice Large Scale Practical Nature Conservation Award Winner*.

- *Wildlife Ways: Highly Commended 2024 CIEEM Best Practice Large Scale Practical Nature Conservation Award*.
- Active management of public spaces, parks and green spaces, including 23 Local Nature Reserves (LNR) with the majority of those also carrying a Local Wildlife Site (LWS) designation, and 18 sites awarded Green Flag Awards, including Hope Coppice, a community-nurtured woodland. The Council also has 23 Forestry Commission approved *Native Woodland Plans*, which inform the sustainable management of Council owned woodland.
- Community and Volunteer Engagement. CLAUDE continue to promote and support two practical conservation volunteer groups. Solihull Conservation Volunteers (SCV) and the Birmingham and Solihull Midweek Conservation Volunteers (BSMCV) are key independent groups that carry out hands-on practical conservation, including woodland management, habitat creation, footpath improvements, and invasive species removal, supporting and maintaining good habitat condition within our LNR and LWS; and
- Educational programmes. The Council provides educational resources and support for schools to build their sustainability and climate action initiatives.

### *Challenges*

- Development pressure and green belt loss: Despite being a "town in the country" (*Urbs in Rure*), Solihull faces intense development pressure on its extensive Green Belt. While policies exist to mitigate impacts, development has the potential to result in the direct loss of habitats, degrades the historic Arden landscape, and fragment both existing and future ecological networks, threatening biodiversity. Changes to national planning policy alongside both the Local Plan and Mayoral Spatial Development Strategy will be key policy drivers in relation to this matter.
- Biodiversity Net Gain (BNG) faces several implementation challenges in the UK including regulatory complexity, a shortage of skilled ecologists and local authority resources, difficulties with on-site space constraints (to create or enhance habitats to achieve the minimum 10% gain), market readiness for offsetting biodiversity impacts, and concerns over long-term monitoring and enforcement. There are currently very few opportunities to buy credits in the West Midlands and therefore credits are being purchased for schemes elsewhere in the country. In order to retain the benefits of BNG, we intend to work with the WMCA and neighbouring authorities to explore BNG investment opportunities across the region where benefits can be identified in a strategic context. Including the assessment of Council owned land for consideration as potential biodiversity net gain receptor sites.
- Climate Change: Rising temperatures, changing precipitation patterns, and increased frequency of extreme weather events directly alter ecosystems and drive a cascade of indirect effects, like shifts in species ranges and increased spread of diseases. The Council has a *Climate Change Action Plan*, but climate change still poses a significant threat to biodiversity.

- **Decline of priority habitats:** Some of Solihull's key habitats are in poor condition. For example, the River Blythe SSSI remains in an "unfavourable" state due to water quality, invasive species and disconnection from its floodplain. Rare habitats like heathland, wet grassland and bog have significantly declined due to urbanisation and agricultural land conversion. Collaboration with Natural England, the WMCA and neighbouring Council's to deliver the West Midlands Local Nature Recovery Strategy is key to target appropriate nature recovery and reverse the ongoing decline of biodiversity and nature.
- **Tree health and resilience:** While tree planting is a priority for the Council, threats like ash dieback and oak-specific diseases (e.g., Acute Oak Decline) put significant pressure on the borough's tree population, reducing its resilience to future threats. Practising sustainable woodland management and diversifying tree species will help trees withstand threats like climate change, pests, and diseases and help to make our landscape more resilient.

#### 4. What options have been considered and what is the evidence telling us about them?

- 4.1 Not to approve the publication of the appended Biodiversity Duty Report would mean we are not fulfilling our legal duty.

#### 5. Reasons for recommending preferred option

- 5.1 As part of the Environment Act 2021, the Government introduced the 'strengthened biodiversity duty'. The Act requires public authorities, which operate in England, to consider what they can do to 'conserve and enhance' biodiversity in England. The Biodiversity Duty Report fulfils this requirement.

#### 6. Implications and Considerations

- 6.1 State how the proposals in this report contribute to the ambitions in the [Council Plan](#):

Ambition:	Contribution:
1. The right conditions for everyone to thrive.	Biodiversity is essential for the processes that support all life on earth, including humans. Without a wide range of animals, plants and microorganisms, we cannot have the healthy ecosystems that we rely on to provide us with the air we breathe and the food we eat.
2. Services that people need in the right time at the right place.	Biodiversity keeps us all alive, but it also helps to make our lives healthy and safe. Ecosystem services include trees and woodlands that diminish floods, wetlands that regulate pollution and parks that ease our anxiety and support our wellbeing.
3. Children and young people have the best possible outcomes.	A wealth of evidence shows those who spend time outside connecting with nature see improvements in school attendance,

Ambition:	Contribution:
	behaviours, academic achievement, and and social skills like teamwork.
4. Adults are supported to maximise wellbeing and independence.	Nature appears to have a beneficial effect on mental health and well-being. Biodiverse nature offers more stimulation for the senses, which may improve concentration, reduce mental fatigue and restore cognitive resources – such as memory and attention span.
5. A vibrant economy with increased access to opportunities.	Biodiversity underpins economic activity and wellbeing and is integral to sustainable development. Providing the resources we need to produce goods and services and contributing to managing risks to economic and social activity, such as regulating flood risks and the local climate (both air quality and temperature), and maintaining the supply of clean water and other resources.
6. Opportunities and fairer outcomes by acting on climate change.	Conserving and restoring natural spaces, and the biodiversity they contain, is essential for limiting emissions and adapting to climate impacts. Biodiversity and ecosystems provide important regulation services, such as sequestering carbon and, moderating the impacts of extreme weather events.
7. An attractive and aspirational place.	Landscapes perceived as aesthetic are more likely to be protected; conservation increases the biodiversity of ecosystems, and biodiversity improves ecosystem functioning and services and increases the aesthetic experience, which, fed by knowledge and experience, further increases the social motivation for conservation.

## 6.2 Consultation and Scrutiny:

- 6.2.1 The Biodiversity Duty Report has been developed in consultation with officers from the key service areas likely to be instrumental in enabling the Council to meet the strengthened biodiversity duty. This includes CLAUDE, Planning, Highways, Strategic Land, Economic Development, Public Realm and Forestry teams as well as

representatives from the Climate Change and Sustainability Group.

### 6.3 Corporate Parenting Implications

6.3.1 None as a direct result of this report

### 6.4 Financial implications:

6.4.1 At this initial stage it is considered that there are no financial implications. The report sets out existing policies and objectives and a direction of travel for enhancing and conserving biodiversity. Future objective setting, monitoring and reporting requirements will be absorbed into the existing systems and processes where it is possible. This will reduce the impact on staff time and costs.

### 6.5 Legal implications:

6.5.1 The general duty to conserve and enhance biodiversity is set out in the Environment Act 2021 and the Natural Environment and Rural Communities Act 2006 (NERC Act) as amended.

### 6.6 Risk implications, including Risk Appetite:

6.6.1 There are no key risks at this stage. The policies and objectives that follow the report should be sufficient to ensure that the Council is meeting its duty for conserving and enhancing biodiversity.

### 6.7 Equality implications:

6.7.1 None as a direct result of this report

6.7.2 No new policy or service change is proposed at this stage. Future work will be fully considered for potential impacts and benefits

### 6.8 Linkages to our work with the West Midlands Combined Authority (WMCA) and / or the Birmingham & Solihull Integrated Care System (ICS):

6.8.1 The Biodiversity Duty Report aligns with the WMCA Natural Environment Plan (2021 – 2026), which includes several priority actions to protect, restore and enhance our region's natural environment, and the West Midlands Local Nature Recovery Strategy (LNRS) to identify locations to create or improve habitat most likely to provide the greatest benefit for nature and the wider environment. The LNRS will also provide a key part of the evidence base that will support the West Midlands Mayors Spatial Development Strategy (SDS).

## 7. List of appendices referred to

7.1 Appendix 1 Solihull Metropolitan Borough Council Biodiversity Duty Report

## 8. Background papers used to compile this report

8.1 [Complying with the biodiversity duty - GOV.UK](#)

8.2 [Reporting your biodiversity duty actions - GOV.UK](#)

## 9. List of Other Relevant Documents

