

## **Report to Cabinet**

**Subject:** Gedling Borough Council Biodiversity Report

**Date:** 26<sup>th</sup> March 2026

**Author:** Assistant Director – Development

**Wards Affected:** All

### **Purpose**

To present the Local Authority Biodiversity Report for the period 01/01/2024 – 01/01/2026 and to seek approval to publish the report within 12 weeks of the end of the reporting period, in accordance with section 40A of the Natural Environment and Rural Communities Act 2006 (as amended by the Environment Act 2021).

### **Key Decision**

This is not a key decision

### **Recommendation(s)**

#### **THAT Cabinet**

- 1) Notes the contents of the Local Authority Biodiversity Report for 01/01/2024 – 01/01/2026**
- 2) Approves publication of the Local Authority Biodiversity Report on the Council's website in accordance with section 40A(6)(b) NERC Act 2006 (as amended)**

## **1 Background**

- 1.1 Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended by the Environment Act 2021) establishes the strengthened biodiversity duty: public authorities must from time to time consider what

action they can properly take to further the general biodiversity objective (to conserve and enhance biodiversity), then determine policies and specific objectives and take action accordingly (sections 40(1) and 40(1A)).

- 1.2 Section 40A requires specified authorities, including local authorities and local planning authorities, to publish biodiversity reports. Reports must specify the reporting period and be published within 12 weeks of the period end. The report must include (a) a summary of actions taken to comply with section 40 during the period; (b) a summary of plans for the next five years; (c) any quantitative data required by regulations; and (d) any other appropriate information. For local planning authorities, it must also summarise actions under Schedule 7A to the Town and Country Planning Act 1990 (biodiversity gain), information about biodiversity gains from approved biodiversity gain plans, and plans for carrying out those functions over the next five years.
- 1.3 Government guidance 'Reporting your biodiversity duty actions' sets out expectations on who must report, when to publish, and what to include, and confirms the 12 week publication window. As of January 2026, no regulations have been made under section 40A(8)(b) prescribing quantitative data for inclusion within the report.
- 1.4 The guidance states that by law, the report must include:
  - A summary of the action you've taken to comply with the biodiversity duty
  - How you plan to comply with the biodiversity duty in the next reporting period
  - Any other information you consider appropriate

Reports from local planning authorities must also include the following biodiversity net gain (BNG) information:

- The actions you've carried out to meet BNG obligations
- Details of BNG resulting, or expected to result, from biodiversity gain plans you've approved
- How you plan to meet BNG obligations in the next reporting period

## **2. Proposal**

- 2.1 To approve the Local Authority Biodiversity Report for 01/01/2024 – 01/01/2026 and to publish it within the statutory deadline. The report structure follows DEFRA guidance and includes required Biodiversity Net Gain (BNG) information relating to the Council's Local Planning Authority functions.

## **3 Alternative Options**

- 3.1 None. As described, Section 40A of the Natural Environment and Rural Communities Act 2006 requires publication within 12 weeks of the end of the reporting period. Failure to publish would be contrary to statute.

## **4 Financial Implications**

- 4.1 The only financial implication is staff time to produce the report. This cost will be met from within existing budgets and council functions.

## **5 Legal Implications**

- 5.1 The duty to report is set out in section 40A NERC Act 2006 (as amended by the Environment Act 2021). Reports must be published within 12 weeks of the end of the reporting period and must include the matters specified in section 40A(3)–(5).

## **6 Equalities Implications**

- 6.1 There are no direct equalities implications arising from this report. Opportunities to improve public access to open spaces and reduce health inequalities will be considered when implementing actions.

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 The actions described support the actions set out within the Nottingham and Nottinghamshire Local Nature Recovery Strategy and aligns with the Place priority within the Gedling Plan.

## **8 Appendices**

- 8.1 Appendix 1 - Gedling Borough Council Local Authority Biodiversity Report 2026 (reporting period 01/01/2024 – 01/01/2026).

## **9 Background Papers**

9.1 DEFRA guidance: Reporting your biodiversity duty actions  
<https://www.gov.uk/guidance/reporting-your-biodiversity-duty-actions>

9.2 Environment Act 2021 (Part 6)  
<https://www.legislation.gov.uk/ukpga/2021/30/part/6>

9.3 NERC Act 2006 (sections 40 and 40A)  
<https://www.legislation.gov.uk/ukpga/2006/16/section/40>

9.4 Town and Country Planning Act 1990 (Schedule 7A)  
<https://www.legislation.gov.uk/ukpga/1990/8/schedule/7A>

## **10 Reasons for Recommendations**

10.1 To ensure the Council meets its statutory obligation to publish a biodiversity report within 12 weeks of the end of the reporting period and to communicate actions and planned activity to further the conservation and enhancement of biodiversity in accordance with section 40A(6)(b) NERC Act 2006 (as amended).

### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**