**Request Reference: 17180765**

**Date received: 14 August 2017**

**Date response sent: 19 September 2017**

**1. What steps the Council has taken to meet its section 40 duties under the Natural Environment and Rural Communities Act 2006 to ‘have regard... to the purpose of conserving biodiversity’.**

In accordance with the Guidance set out in NPPF (paragraph 9, 99,109,114, 117,118 etc), the Local Planning Authority includes polices in the Adopted [Torbay Local Plan 2012 to 2030](http://www.torbay.gov.uk/newlocalplan). Policy SS8 - Natural Environment and Policy NC1 (Biodiversity and Geodiversity) seek to conserve and enhance Torbay’s Biodiversity and Geodiversity through the protection and improvement of terrestrial and Marine environments and fauna and flora commensurate to their importance. Policy DE1 – Design, requires consideration of a ‘*net gain in biodiversity including tree and hedgerow planting and habitat creation’*. The [Local Validation List for Planning Applications](http://www.torbay.gov.uk/media/3056/planning-list.pdf) for development proposals that have potential to significantly impact biodiversity, including protected habitats and species includes a requirement for Ecological Impact Assessment / Statement.

**2. The total amount spent by the council on promoting biodiversity in the last year for which data is available.**

Torbay has internationally important sites and species including the South Hams SAC designated for both the calcareous grassland habitat and presence of the Greater Horsehoe Bat maternity roost at Berry Head. The Council (which has a duty as a ‘competent authority’ under the Habitats Regulations) has therefore used a specialist consultant advisor to assist in the preparation of Development Plan proposals in the Local Plan and the consideration of planning applications. The Spatial Planning Department also employees a specialist Appraisal Officer for the preparation and consideration of Sustainability Appraisals, Strategic Environmental Assessments and Habitats Regulations Assessments of plans and projects. The Council uses additional Biodiversity advisors for the assessment of submitted Planning Application ecological reports. No expenditure figures for these services are available at this time.

**3. How much the Council plans to spend on promoting biodiversity in the coming year?**

There are no specific figures for the Spatial Planning Department for the ‘promotion’ of biodiversity but the on-going responsibilities and duties of the Local Planning Authority will have budgetary requirements and commitments in the next year (see response to Q3 above)

**4. The name and contact details of the officer responsible for promoting biodiversity within the council (if there is no such person, please provide the name and contact details of the officer responsible for managing the Council’s green spaces).**

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