

Record of Decisions Biodiversity Duty Report

Decision Taker

Cabinet on 14 April 2026

Decision

That the Biodiversity Duty Report 2026 set out at Appendix 3 to the submitted report be approved.

Reason for the Decision

The Biodiversity Duty Report 2026 responded to the enhanced statutory biodiversity duty placed on public authorities from January 2023, requiring the conservation and enhancement of biodiversity and the publication of a plan and report in line with the Environment Act 2021, and set out how the Council would meet these legal requirements, and demonstrated how biodiversity considerations were embedded across Council policies, plans and service delivery. The Report aligned with the Community and Corporate Plan objectives to protect and enhance the natural environment and address the climate emergency, providing a clear framework for co-ordinated action across the Council.

Implementation

The decision will come into force and may be implemented on 27 April 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Biodiversity Duty Report 2026 was prepared to meet the Council's statutory obligations under the Natural Environment and Rural Communities Act 2006, as strengthened by the Environment Act 2021, which extended the duty from conserving to also enhancing biodiversity and required publication of a compliance report within the 2024 - 2026 reporting period. The Report was developed in accordance with Section 40A requirements and Department for Environment, Food and Rural Affairs (DEFRA) guidance and set out actions taken to date, plans for delivery over the following five years and relevant biodiversity net gain activity as a local planning authority. It built on existing Council strategies and frameworks, including the Climate Change Action Plan and Torbay Local Plan, drawing together service-level contributions and identifying future actions to ensure biodiversity considerations were embedded across Council functions, policy development and planning activity.

Alternative Options considered and rejected at the time of the decision

There were no statutory alternatives to producing the Biodiversity Duty Report. It also provided an opportunity to highlight the service level actions that have already taken place to contribute towards increasing biodiversity. Failure to produce a Report would breach legal obligations.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

17 April 2026

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet