



## Mayor and Cabinet

### **Report title: Endorsement of the Lewisham Biodiversity Partnership's - A Natural Renaissance for Lewisham (2021-26)**

**Date:** 3 November 2021

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Eszter Wainwright-Deri, Ecological Regeneration Manager

### **Outline and recommendations**

'A Natural Renaissance for Lewisham' was prepared by the Lewisham Biodiversity Partnership and sets out Lewisham's Biodiversity Action Plan for 2021-2026. The report identifies the opportunities and the objectives to which the Partnership is committed to achieving, and demonstrates the links to how these objectives can contribute to the Council's on-going programmes within various directorates.

This report recommends that Mayor and Cabinet note the contents and endorse the 'A Natural Renaissance for Lewisham' document and the strategic aspirations of the Lewisham Biodiversity Partnership.

### **Timeline of engagement and decision-making**

**7<sup>th</sup> April 2021:** Draft Lewisham BAP circulated for consultation to Lewisham Biodiversity Partnership members.

**14<sup>th</sup> July 2021:** Lewisham Biodiversity Partnership meeting where changes to BAP was summarised to members.

**26<sup>th</sup> July 2021:** Draft Lewisham BAP circulated for information and comments to Sustainable Development Scrutiny Committee (SDSC) members.

**1<sup>st</sup> September 2021:** Informal briefing with SDSC and Cllr Patrick Codd to discuss comments

## 1. Summary

- 1.1. Lewisham's Biodiversity Action Plan (BAP) highlights the need and actions to conserve locally important plants and animals and the landscapes in which they live. The BAP helps partners to focus on the priorities, and what, when and where action should take place. It sets out the actions that will help to improve the quality, resilience and abundance of Lewisham's biodiversity – its variety of life – especially those species and habitats of value in the borough. However, all wildlife is important and the BAP is not ignorant of other species and habitats which may not be explicitly mentioned in the BAP.
- 1.2. The Lewisham Biodiversity Partnership was established in 1999 to consolidate the interests and expertise of a range of organisations (including the Council) and individuals with a duty to, or interest in, conserving the Borough's wildlife and natural environment. It is there to ensure that the diverse range of views on Lewisham's biodiversity is effectively represented and enables emerging local groups to get technical, emotional and social support and resources from others.
- 1.3. "A Natural Renaissance for Lewisham" sets out the Partnership's aspirations for the immediate future until 2026. It identifies the opportunities and objectives which the Partnership is committed to achieving and demonstrates the links that the conservation of Lewisham's biodiversity can make to the Council's continuing programmes within various directorates.
- 1.4. This is the third edition of the BAP for Lewisham. The BAP has become an essential tool to guide the public and private sector in the maintenance, enhancement, and restoration of important species/habitats that will add to biodiversity and conservation at the local level. It also serves as a benchmark against which we monitor progress against previous BAPs.

## 2. Recommendations

That Mayor and Cabinet

- 2.1. Note the contents of the 'A Natural Renaissance for Lewisham (2021-26)' report (see Appendix).
- 2.2. Endorse 'A Natural Renaissance for Lewisham' document and the strategic aspirations of the Lewisham Biodiversity Partnership as a formal step in demonstrating due regard to the purpose of conserving biodiversity.

## 3. Policy Context

- 3.1. **Natural Environment and Rural Communities Act 2006:** As a public authority, Lewisham Council "must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. ...in particular have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992." Conserving biodiversity can include restoring or enhancing a population or habitat. Section 41 of the NERC Act also contains a list of habitats and species of principal importance (priority species).
- 3.2. **National Planning Policy Framework (NPPF)** section 15: Conserving and enhancing the natural environment contains instructions on how planning policies and decisions should contribute to and enhance the natural and local environment (including habitats and biodiversity).
- 3.3. **25 Year Environment Plan (Defra 2018) and the Environment Bill 2020:** They set out the Government's "goals for improving the environment, within a generation, and leaving it in a better state than we found it. It details how we in government will work with communities and businesses to do this." and how the Bill "will put the environment

at the centre of policy making. It will make sure that we have a cleaner, greener and more resilient country for the next generation.”

- 3.4. **London Environment Strategy (2018) and London Plan (2021):** The integrated environment strategy sets out policies on how London’s environment is being improved for the benefit of all Londoners. Similarly many policies in the London Plan is directly relevant to biodiversity and its improvement in the capital (e.g. Urban greening factor, Local green and open space, Biodiversity and access to nature, trees and woodlands).
- 3.5. **Lewisham’s Corporate Strategy** sets out seven corporate priorities and the Biodiversity Action Plan directly or indirectly contributes to all priorities.
- 3.6. **Lewisham’s Climate Emergency Strategic Action Plan (2019):** The plan highlights the importance of green and blue spaces in tackling the simultaneous climate and biodiversity crises. Objectives and actions within the Lewisham Biodiversity Action Plan align well and complement the Climate Emergency Strategic Action Plan and will contribute to its implementation.
- 3.7. **Lewisham’s Parks and Open Spaces Strategy (2020):** The Strategy has been developed as a tool to identify, communicate, map out and monitor a series of actions to protect, maintain, and enhance parks and gardens, allotments, nature reserves, churchyards and highways enclosures owned or maintained by Lewisham Council. At the core of the strategy is the ambition that our parks and open spaces become: “the heart and lungs for Lewisham, connecting active, healthy, and vibrant local communities.”

## 4. Background

- 4.1. Biodiversity Action Planning policies derive from The Earth Summit, held in Rio de Janeiro in 1992 which established the Convention on Biological Diversity.
- 4.2. Borough Biodiversity Action Plans (BAPs) are prepared to highlight the need and actions to conserve locally important plants and animals and the landscapes in which they live. They help partners to focus on the priorities, and what, when and where action should take place.
- 4.3. ‘A Natural Renaissance for Lewisham’ Biodiversity Action Plan 2021-2026 will supersede previous Biodiversity work undertaken from 2007. This is the third edition of the Lewisham Biodiversity Action Plan.
- 4.4. The first edition of the BAP took a deliberate decision, unlike many, to align itself with the Council’s priorities and service delivery, recognising this was potentially an effective way of securing support from members and officers.
- 4.5. In the ‘Natural Environment and Rural Communities Act’ (NERC Act 2006), Section 40 of the Act states that: ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’.
- 4.6. ‘A Natural Renaissance for Lewisham’ sets out the Partnership’s aspirations for the immediate future until 2026. It identifies the opportunities and objectives which Lewisham’s Biodiversity Partnership is committed to achieving and demonstrates the links that the conservation of Lewisham’s biodiversity can make to the Council’s continuing programmes within various directorates.
- 4.7. The BAP has become an essential tool to guide the public and private sector in the maintenance, enhancement, and restoration of important species/habitats that will add to biodiversity and conservation at the local level. This has particular relevance given the NERC Act and the National Planning Policy Framework.

## 5. A Natural Renaissance for Lewisham (2021-26) and the Lewisham Biodiversity Partnership

- 5.1. The Lewisham Biodiversity Partnership was established in 1999 as a result of Rio Earth Summit in 1992 to develop an action plan for the Borough's wildlife and natural environment.
- 5.2. The Lewisham Biodiversity Partnership was established to consolidate the interests and expertise of a range of organisations (including the Council) and individuals with a duty to, or interest in, conserving the Borough's wildlife and natural environment<sup>1</sup>. It is there to ensure that the diverse range of views on Lewisham's biodiversity is effectively represented and enables emerging local groups to get technical, emotional and social support and resources from others.
- 5.3. Since its establishment the Partnership has delivered many successful projects (e.g. Rivers and People), developed policies (e.g. Ravensbourne Catchment Improvement Plan) and delivered over 13,000 events including eleven 3 Rivers Clean Up which is the second largest volunteer river clean up event in the UK. Through these events the Partnership engaged over 310,000 individuals directly and delivered over 108,000 volunteer hours with an estimated economic value of £805,000.
- 5.4. Lewisham's BAP aspires to be visionary, pragmatic, achievable and inclusive.
- 5.5. The BAP seeks to build upon the Partnership's achievements by setting out objectives for the immediate future regarding the conservation of nature across the Borough. The document also identifies the contribution of Lewisham's natural environment to quality of life and sustainable development objectives within the Borough including the Climate Emergency Action Plan.
- 5.6. The first edition of the BAP took a deliberate decision, unlike many, to align itself with the Council's priorities and service delivery, recognising this was potentially an effective way of securing support from members and officers. This is the third edition of the BAP.
- 5.7. Action to conserve and enhance Lewisham's natural environment has a long tradition and much of what Lewisham has now is down to the endeavours of a number of committed local residents and voluntary organisations who have given their support for over 35 years. The Borough was one of the first in the country to employ officers with a specific nature conservation remit to complement this activity, and to establish Council-run nature reserves.
- 5.8. The BAP is prepared to highlight the need and actions to conserve locally important plants and animals and the landscapes in which they live. They help partners to focus on the priorities, and what, when and where action should take place. It sets out the actions that will help to improve the quality, resilience and abundance of Lewisham's biodiversity – its variety of life – especially those species and habitats of value in the borough. However, all wildlife is important and the Biodiversity Action Plan is not ignorant of other species and habitats which may not be explicitly mentioned in the Plan.
- 5.9. 'A Natural Renaissance for Lewisham' sets out the Partnership's aspirations for the immediate future until 2026. It identifies the opportunities and objectives which Lewisham's Biodiversity Partnership is committed to achieving and demonstrates the links that the conservation of Lewisham's biodiversity can make to the Council's continuing programmes within various directorates:
  - 5.9.1. **Urban Regeneration, Planning and Development** (e.g. Sites of Importance for Nature Conservation, Local Plan, net gain for biodiversity, waterways and

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<sup>1</sup> Find current list of Lewisham Biodiversity Partnership member organisations in Appendix 1.

waterbodies)

- 5.9.2. **Parks & Open Spaces and Rivers** (e.g. river restoration, invasive species, Green Flag, London National Park City, positive conservation management, Great North Wood and Big City Butterflies projects)
  - 5.9.3. **Health** (e.g. Obesity Alliance, Green Chain, Nature's Gym, Healthy Walks)
  - 5.9.4. **Education and Community Regeneration** (e.g. education events and resources)
  - 5.9.5. **Transport** (e.g. walking and cycling routes, parking, street trees, railway linesides)
  - 5.9.6. **Culture** (e.g. London Borough of Culture 2022, art, interpretation)
  - 5.9.7. **Private land and social landlords – What you can do for wildlife** (useful resources to encourage and support wildlife, e.g. wildlife gardening, ponds, compost, volunteering, Citizen Science)
- 5.10. Priority species and habitats in Lewisham:
- 5.10.1. All bat species (Chiroptera)
  - 5.10.2. Black Redstart (*Phoenicurus ochruros*)
  - 5.10.3. Common Kingfisher (*Alcedo atthis*)
  - 5.10.4. Common Toad (*Bufo bufo*)
  - 5.10.5. European Hedgehog (*Erinaceus europaeus*)
  - 5.10.6. House Sparrow (*Passer domesticus*)
  - 5.10.7. Song Thrush (*Turdus philomelos*)
  - 5.10.8. Stag Beetle (*Lucanus cervus*)
  - 5.10.9. Swift (*Apus apus*)
  - 5.10.10. Living roofs
  - 5.10.11. Rivers
  - 5.10.12. Railway 'Linesides'
  - 5.10.13. Standing water and Ponds
  - 5.10.14. Woodlands and trees
- 5.11. Once embedded in Council policies and practices, the Action Plans will become an essential tool to guide the public and private sector in the maintenance, enhancement, and restoration of important species/habitats that will add to biodiversity and conservation at the local level. Subsequent Biodiversity Action Plans will serve as benchmarks against which we monitor progress.

## 6. Financial implications

- 6.1. Following the anticipated endorsement of 'A Natural Renaissance for Lewisham' the document will be produced as a pdf publication that will be available on the intranet/Council website.
- 6.2. Many actions that will enhance the borough's biodiversity will be delivered through sensitive planning of future services and will result from greater awareness of biodiversity issues. These will incur no significant additional cost.
- 6.3. In summary, there are no significant financial implications arising from the recommendation set out in section 4 above. Costs that do arise will be met from existing resources.

## 7. Legal implications

- 7.1. Section 40 (1) of the Natural Environment and Rural Communities Act 2006, imposes a duty upon Local Authorities to conserve biodiversity: “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.” Section 40 (3) of the Act explains that: “Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat”. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
- 7.2. The Wildlife and Countryside Act 1981 provides details on a range of protection and offences relating to wild birds, other animals, and plants.
- 7.3. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.4. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
  - 7.4.1: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - 7.4.2: Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - 7.4.3: Foster good relations between people who share a protected characteristic and those who do not.
- 7.5. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 10.4 above.
- 7.6. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. The decision maker must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 7.7. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>; <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 7.8. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- 7.9. The essential guide to the public sector equality duty
- 7.10. Meeting the equality duty in policy and decision-making

- 7.11. Engagement and the equality duty: A guide for public authorities
- 7.12. Objectives and the equality duty. A guide for public authorities
- 7.13. Equality Information and the Equality Duty: A Guide for Public Authorities
- 7.14. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

## **8. Equalities implications**

- 8.1. Lewisham is a diverse community made up of many different groups and individuals. We value and celebrate diversity and believe it essential to try to understand the different contributions, perspectives and experience that people in our community have.
- 8.2. All residents and visitors to the borough have a right to enjoy, learn about and make use of Lewisham's many and diverse wildlife habitats, species and landscapes, especially where access to and use of these resources is free throughout the year. Protecting Lewisham's biodiversity through the BAP process helps ensure this right of access and enjoyment is there for all cultures, ages and abilities and that information and knowledge about Lewisham's natural assets is promoted to the widest audience possible without preference, prejudice or prior assumption.

## **9. Climate change and environmental implications**

- 9.1. Lewisham Council declared a Climate Emergency in 2019 with the ambition for the Borough to become carbon neutral by 2030. The approved Climate Emergency Strategic Action Plan highlights the importance of green and blue spaces in tackling the simultaneous climate and biodiversity crises. Objectives and actions within the Lewisham Biodiversity Action Plan align well and complement the Climate Emergency Strategic Action Plan and will contribute to its implementation.
- 9.2. The environmental implications of 'A Natural Renaissance for Lewisham' are considerable, but all of these are positive rather than negative. The document and subsequent Biodiversity Action Plans will act as a powerful tool to raise awareness of and stimulate action to address environmental issues where the Council has legal obligations, a duty of care, or could become exposed in time to liabilities.

## **10. Crime and disorder implications**

- 10.1. An objective of the 'A Natural Renaissance for Lewisham' document is to promote the borough's wildlife assets and to encourage good management of natural areas that includes taking account of potential risk areas and reducing these so that they are easier to access and use. A key action is to inform and encourage people to make more use of wildlife areas, this includes producing interpretative materials, running guided walks and developing volunteer and user groups to raise the level of 'community ownership' of such sites. This is an important means to reduce or remove negative perceptions or fears about wildlife sites, but also increase the intensity of positive use, which helps to deter or drive out antisocial or criminal behaviour.

## **11. Health and wellbeing implications**

- 11.1. There is mounting evidence that shows the benefits of green spaces for physical and mental health and the pandemic in 2020 has further demonstrated the crucial

importance of open spaces. Lewisham Biodiversity Partnership through the Biodiversity Action Plan is working with a range of local groups and individuals to promote the health benefits of nature conservation volunteering and active walking initiatives that use the natural environment.

- 11.2. The partnership aspires to develop links with Lewisham Public Health to provide opportunities for residents to actively participate and enjoy the natural environment and to use it as a vehicle to improve both mental and physical health outcomes.
- 11.3. The Biodiversity Action Plan aims to encourage the Council’s ‘whole systems’ approach to tackling obesity and forge links with the Obesity Alliance.

## 12. Background papers

- 12.1. Lewisham Biodiversity Partnership: <https://natureconservationlewisham.co.uk/lewisham-biodiversity-group/>
- 12.2. A natural Renaissance for Lewisham (2015-20): <https://natureconservationlewisham.files.wordpress.com/2020/01/a-natural-renaissance-2015-2020.pdf>
- 12.3. Convention on Biological Diversity: <https://www.cbd.int/>
- 12.4. Natural Environment and Rural Communities Act 2006: <https://www.legislation.gov.uk/ukpga/2006/16/contents>
- 12.5. Wildlife and Countryside Act 1981: <https://www.legislation.gov.uk/ukpga/1981/69/schedule/8>
- 12.6. 25 Year Environment Plan: <https://www.gov.uk/government/publications/25-year-environment-plan>
- 12.7. Environment Bill 2020: <https://www.gov.uk/government/publications/environment-bill-2020>
- 12.8. National Planning Policy Framework: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- 12.9. London Environment Strategy: <https://www.london.gov.uk/what-we-do/environment/london-environment-strategy>
- 12.10. London Plan: [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)
- 12.11. Lewisham Corporate Strategy: <https://lewisham.gov.uk/mayorandcouncil/corporate-strategy>
- 12.12. Lewisham’s Parks and Open Spaces Strategy: <https://lewisham.gov.uk/inmyarea/openspaces/parks-and-open-spaces-strategy>
- 12.13. Lewisham’s Climate Emergency Strategic Action Plan: [https://councilmeetings.lewisham.gov.uk/documents/s81350/Climate\\_Emergency\\_Action\\_Plan.pdf](https://councilmeetings.lewisham.gov.uk/documents/s81350/Climate_Emergency_Action_Plan.pdf)

## 13. Glossary

Term	Definition
3 Rivers Clean Up	An annual, intensive series of volunteering events that aims to improve and maintain the Rivers Pool, Quaggy and Ravensbourne that flow through Lewisham, Greenwich and Bromley. It runs for three weeks during the summer, tackling both rubbish and invasive species of flora.

<b>Term</b>	<b>Definition</b>
	<a href="https://3riverscleanup.co.uk/">https://3riverscleanup.co.uk/</a>
Biodiversity or biological diversity	The variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.
BAP	Biodiversity Action Plan – Biodiversity Action Plans are prepared to highlight the need and actions to conserve locally important plants and animals and the landscapes in which they live
Big City Butterflies project	A project launched in 2021 by Butterfly Conservation which will inspire Londoners to discover butterflies and moths, and connect them with nature and their local green spaces. <a href="https://butterfly-conservation.org/BCB">https://butterfly-conservation.org/BCB</a>
Citizen Science	It is the practice of public participation and collaboration in scientific research to increase scientific knowledge.
Climate Emergency Action Plan	It is a plan that sets out Lewisham’s ambitions to be carbon neutral by 2030.
Great North Wood Project	The London Wildlife Trust’s project that aims to raise awareness of the Great North Wood, this largely forgotten woodland and to encourage residents to explore, enjoy and value the natural wealth on their doorsteps. <a href="https://www.wildlondon.org.uk/great-north-wood">https://www.wildlondon.org.uk/great-north-wood</a>
Green Chain	The South East London Green Chain, also known as the Green Chain Walk, is a linked system of open spaces between the River Thames and Crystal Palace Park in London
Green Flag	The Green Flag Award scheme recognises and rewards well managed parks and green spaces, setting the benchmark standard for the management of recreational outdoor spaces across the United Kingdom and around the world.
Invasive species	An organism that is usually introduced and becomes overpopulated and negatively alters its new environment.
London Borough of Culture	The Mayor’s London Borough of Culture award brings Londoners together. It puts culture at the heart of local communities, where it belongs, illuminating the character and diversity of London’s boroughs and showing culture is for everyone. Lewisham will be the Borough of Culture in 2022.
London National Park City	A movement to improve life in London. <a href="https://www.nationalparkcity.london/">https://www.nationalparkcity.london/</a>
Nature’s Gym	Lewisham Council’s project that offers opportunities to improve fitness and local parks and/or nature reserves, by people taking part in nature conservation activities.
Net gain for biodiversity	It is an approach to development and/or land management that leaves biodiversity in a better state than before.
Obesity Alliance	It is a coalition of organisations working together to reduce obesity by influencing Government policy.
SINC	Site of Importance for Nature Conservation

## **14. Report author(s) and contact**

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- 14.2. Financial Implications: Abdul Kayoum, Group Finance Manager
- 14.3. Legal Implications: Katherine Kazantzis, Principal Lawyer

## **15. Appendices**

- 15.1. Appendix 1 – ‘A Natural Renaissance for Lewisham’ 2021-26