

LOCAL NATURE RECOVERY STRATEGY UPDATE

30th March 2023

**Liz Milne, Natural Environment & Coast Manager,
Kent County Council**

On 23rd March 2023, Defra published the [government's response to and summary of the 2021 consultation, regulations](#) and [statutory guidance](#) for Local Nature Recovery Strategies (LNRS).

1. Summary of Regulations – *The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023 (statutory instruments 2023 No. 341)*

- Creation of 'Supporting Authorities' role and the reasonable steps that responsible authorities (RA) must take to involve them in the LNRS preparation. In Kent the supporting authorities will be all the county's local authorities and Natural England.
- Requirements of wider engagement, including publishing information online and the need for public consultation.
- Requirement for publication, including need to give notice to SoS of intent to publish and provide them with the final strategy; the format in which the strategy should be published (editable electronic format, which presents all relevant parts separately, or enables them to be separated).
- Rules for review, no less than every 3 years and no more than every 10 years, and republication. Query over how this burden, including the monitoring requirement in the interim period needed to inform the review, will be funded – and the risk this poses to Responsible Authorities.
- Dispute resolution between responsible authority and supporting authorities.

2. Summary of the statutory guidance - *Local nature recovery strategy statutory guidance - What a local nature recovery strategy should contain, March 2023*

About local nature recovery strategies

The Strategy must:

- Agree priorities for nature's recovery.
- Map the most valuable existing areas for nature.
- Map specific proposals for creating or improving habitat for nature and wider environmental goals.

The Strategy's purpose is to:

- To identify locations to create or improve habitat most likely to provide the greatest benefit for nature and the wider environment.
- Do not force the owners and managers of the land identified to make any changes – instead encouraging action.
- To inform the local planning process. Local planning authorities must have regard to them in complying with the strengthened biodiversity duty – separate guidance to follow.

- Identify where action to achieve biodiversity net gain will have the most impact and encourage action in these locations through the way net gain is calculated.

The guidance notes that responsible authorities are not solely responsible for delivering the strategy – this should be a shared effort with public, private and voluntary sector partners all playing a role.

It has also been stressed that strategy should be “deliverable, not perfect” and that LNRSs are meant to be practical and deliverable, rather than a vision of how we wish things to be. The message is that whilst bold ambition is important, it is not as important as the action on the ground government want the LNRS to lead to. This is a slight change of tack, as previously LNRS was to be bold and ambitious.

What to include in a local nature recovery strategy

LNRS must include:

- statement of biodiversity priorities.
- local habitat map:
 - national conservation sites.
 - local nature reserves.
 - areas which are, or could become, of particular importance for biodiversity.
 - areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits.
- description of the strategy area and its biodiversity.
- description of the opportunities for recovering or enhancing biodiversity in the strategy area.
- priorities for recovering enhancing biodiversity and potential measures (actions) relating to those priorities.

Process for preparing contents of a local nature recovery strategy

Step 1 The process starts with identifying what we have – this is very prescriptive, and we can only include:

- national conservation sites
- local nature reserves
- local wildlife sites
- areas of irreplaceable habitat – still awaiting official definition of this
- other areas identified by the Secretary of State as being of particular importance

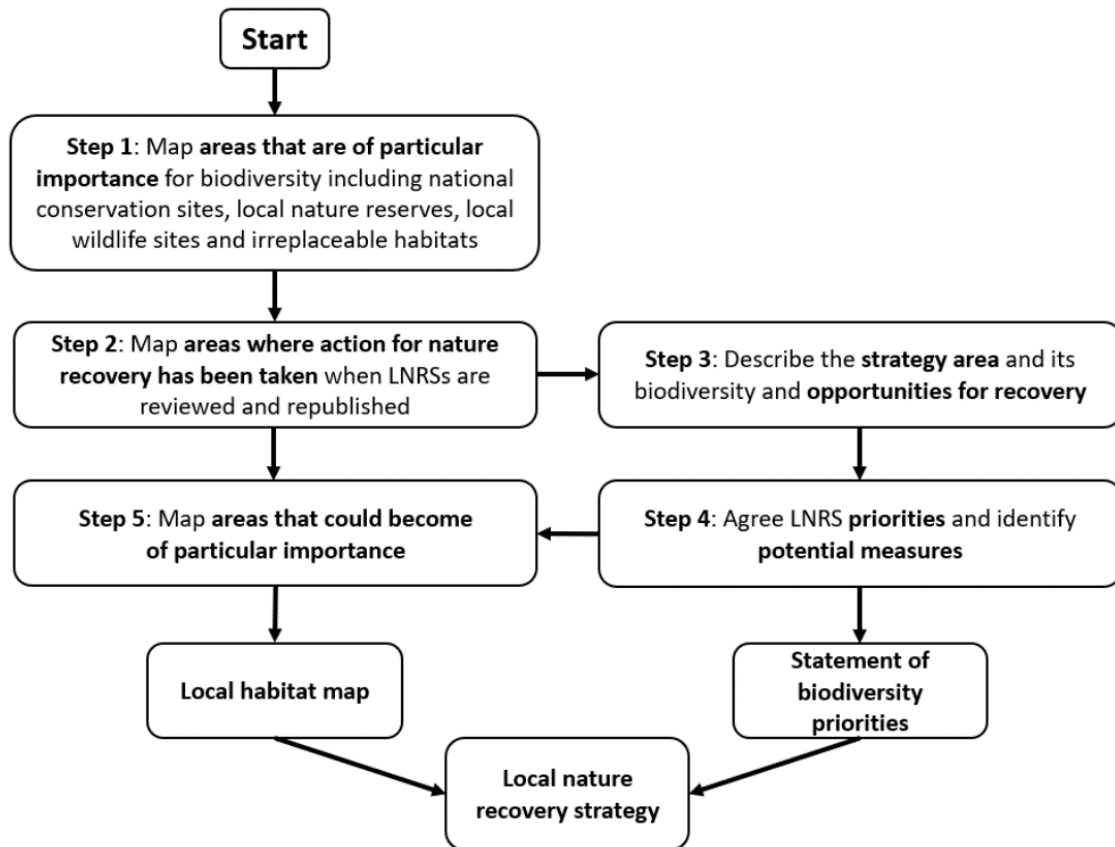
There appears little autonomy to add sites to this map that fall outside of this list and it does not include priority habitat. For Kent, most of this work is already done, although we will need to refine this in line with the mapping requirements.

Step 2 only applies when we come to reviewing the plan in future years.

Step 3 The purpose of the strategy area description is to inform the setting of priorities for recovering or enhancing biodiversity and environmental improvement within the strategy area. The guidance details what should be considered for the description and notes the wide range of other available data and expertise available from local partner organisations which should be used. It also encourages linking the LNRS with marine spatial planning for coastal areas, which aligns to what we were planning in Kent.

The opportunities description identifies the existing, or potential, habitats and species locally, or nationally, important and the practicality of improving existing or creating new. The guidance doesn't define what would constitute "important" local or national habitats and species.

Through the Kent Biodiversity Strategy (2020) and State of Nature in Kent (2022) and the many partners of the Kent Nature Partnership and other networks, we already have a good basis on which to build for this step.



Step 4 Priorities and potential measures will establish what the LNRs is seeking to achieve and these should take into account the contribution that can be made to other environmental benefits (nature based solutions). The importance of partner engagement is stressed throughout the guidance but particularly at this stage. The priorities must also include practical actions (potential measures) that, if taken, would make positive contributions to delivering the priorities agreed with local partners.

Priorities will need to reflect the contribution that can be made to national objectives, commitments and targets including climate change mitigation, water environment improvements and flood risk mitigation. There is no reference to trees targets but it is expected they will be included in the advice on the national objectives, which will be provided in due course.

Access to nature and wellbeing is briefly mentioned as an option for inclusion but not as much weight is placed on this as expected in the statutory guidance.

The guidance suggests that priorities should be limited to those considered critical for the strategy to address – but it is not clear how we might define “critical”. It also suggests avoiding priorities that the strategy can do little to address – back to the “deliverable, not perfect” message.

Selection of the priorities should be evidenced based and lead to a manageable number of agreed priorities for the strategy. The importance of engagement in, and transparency of, the process to securing support from across the public, private and voluntary sectors is stressed within the guidance.

Once the priorities are selected, the next step is to define potential measures (actions) for their delivery. Again, transparency and engagement of partners is noted as important. The guidance notes that Defra may provide a suggested list of potential measures with standard wording for responsible authorities.

The guidance stresses that local nature recovery strategies should be practical, realistic and deliverable documents, so responsible authorities should avoid including any potential measures that are not likely to be implemented in the foreseeable future.

Step 5 In what is described as the final, most important stage of the strategy, responsible authorities need to map areas which they believe 'could become of particular importance for biodiversity' or 'where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits'.

They are the areas where the responsible authority and local partners propose that effort should be concentrated to restore habitat, to achieve the most for biodiversity and the wider environment

The guidance notes that white space on the mapping may be a concern, suggesting that nature recovery shouldn't be targeted at every opportunity, but it suggests that this could be addressed by potential measures that could be used widely across the strategy area and are not location specific.

It is recognised that it may not be appropriate to consider increasing public access in every identified area, where habitats or species are sensitive to disturbance (and on private land, although the document doesn't note this). It's here the guidance references the Natural England Green Infrastructure Framework in helping to identify where there is the least amount of accessible green space (and where, it is assumed, access should be prioritised) but no further advice is provided on how the LNRS and GI framework (and resulting local GI strategies/plans) should be linked.

The guidance notes that Areas of Outstanding Natural Beauty are expected to be particularly suitable places for 'areas that could become of particular importance' to be proposed. With over 30% of Kent within an AONB, this is a large area to be targeting but also fits in well with the AONB commitment to have a nature recovery network plan (after all AONBs signed up to the Colchester Declaration in 2019, to demonstrate their readiness to act to reverse wildlife decline and habitat reduction and committed to the ambition to create Nature Recovery Plans for every AONB).

It is at this point that the guidance notes the importance of listening to landowners and managers' views – it notes that responsible authorities do not need to engage with all relevant landowners and managers before public consultation but they should invite them to participate.

If a landowner opposes a potential measure on their land, and is therefore very unlikely to carry it out, it is suggested that alternatives measures are considered before public consultation. This suggests that it may be beneficial to have a landowner and manager focussed consultation before the wider public one.

Working with local partners

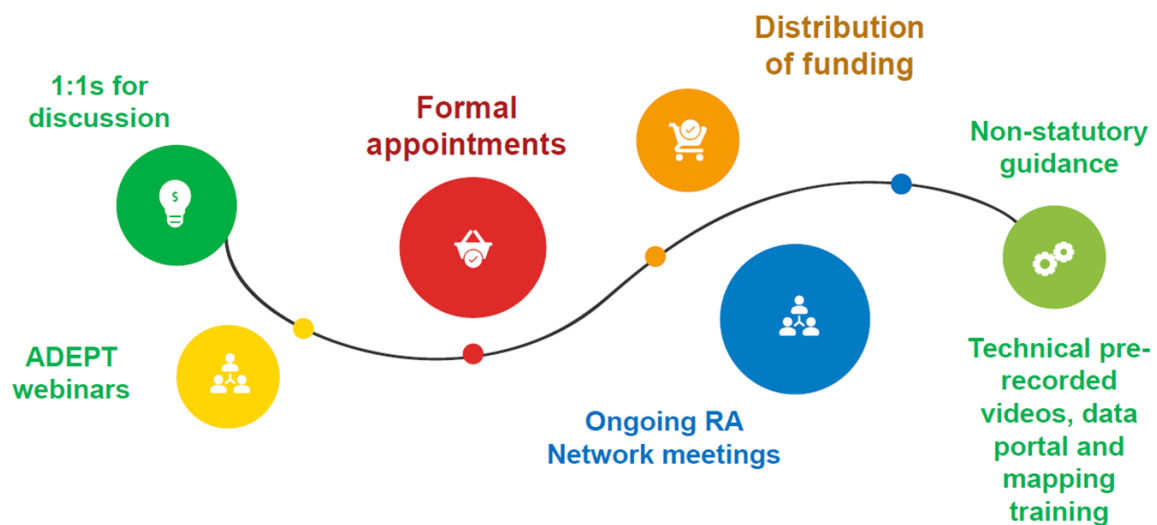
The regulations lay down the requirement for Responsible Authorities to work together with partners when preparing the strategy. The state that the following principles should be applied:

- Transparency – be able to show how partner contributions have been considered, how decisions have been made, and what the basis for them is.
- Inclusivity – enable everyone with an interest to be involved where possible.
- Clear communication – avoid using technical terms that may not be understood by partners and end users.

By working with local partners in this way, responsible authorities will be able to produce strategies that are technically sound and evidence based. They will also benefit from local knowledge and have the support from partners to help achieve successful delivery.

It states that Responsible Authorities should consider and set out how they intend to engage and actively involve local partner organisations and communities early in the process of preparing or reviewing their strategy. This should include engaging with supporting authorities and neighbouring responsible authorities.

3. What's next from Defra



During April, Defra will host one to one meetings with each Responsible Authority, during which time they will talk through details of the regulations and guidance, and the process for formal responsible authority appointment and funding. Following on from this, there will be the formal appointments of the Responsible Authority and distribution of funding. There will also be the provision of further non-statutory guidance and training. No timetable has been provided for this. There will be no public announcements in April/early May due to purdah.

4. Kent & Medway Local Nature Recovery Strategy

Progress and next steps

Progress and planned next steps are outlined in the below table.

Completed work	<ul style="list-style-type: none"> • Kent & Medway LNRS principles • Kent & Medway LNRS initial mapping • Natural England LNRS Special Advisor • Kent & Medway initial stakeholder analysis • Kent, Surrey and Sussex Responsible Authority group • Responsible Authority training sessions • National Responsible Authority Network • Kent & Medway LNRS delivery structure drafted
Work underway or to be commenced in April/early May	<ul style="list-style-type: none"> • Complete Kent Biodiversity Strategy review • Complete Kent & Medway data review • Finalise stakeholder analysis • Initial website for Kent & Medway LNRS • Establishment of LNRS Board and Delivery Group
Work that will not commence until formal appointment, funding confirmation and publication of non-stat guidance	<ul style="list-style-type: none"> • Kent & Medway LNRS delivery plan • Kent & Medway LNRS stakeholder engagement plan • Recruitment and commissioning • Launch

Without knowledge of funding or the non-statutory guidance, it is not possible to plan for the LNRS's development nor the stakeholder engagement that is so critical. We therefore will not commence this work until both of these are available. Our neighbours of Sussex and Surrey are adopting the same approach.