



## KNP Board meeting Thursday 30th March 2023

### Meeting held on Microsoft Teams

<b>Attendees</b>	
Matthew Balfour	KNP Chair
Gary Walters	KNP Vice Chair
Susan Carey	Cabinet Member for Environment, KCC
Paul Hadaway	Kent Wildlife Trust
Alan Jarrett	Medway Council
Helen Shulver	Kent County Council - Kent Environment Strategy
Ellen Schwartz	Kent Public Health
Nick Fenton	Kent Housing and Development Group
Cath Jackson	Natural England
Matthew Woodcock	Forestry Commission
Marion Geary	Maidstone Borough Council
Helen Shulver	Kent County Council – Kent Environment Strategy
<b>Apologies</b>	
Nick Johannsen	Kent Downs AONB Unit
Rob Jarman	Kent Planning Officers Group (Maidstone Borough Council)
Charles Tassell	Country Land & Business Association
Gregor Mutch	Brett Aggregates
Evan Bowen-Jones	Kent Wildlife Trust

### ACTIONS

KNP to be kept informed on key milestones in the Kent & Medway LNRS and BNG work and be involved at appropriate points – Liz/Chris

Forestry Commission grants advice information to be passed to KNP for a potential KNP web page on this – Matthew Woodcock/Chris.

Chris to ask Charles Tassell /CLA for a commentary on the taxation consultation – Chris/Charles.

### Minutes

#### 1. Introductions, apologies, and approval of December minutes

The December minutes were approved, and apologies above provided.

#### 2. Local Nature Recovery Strategy (LNRS) regulations and guidance (Defra factsheet circulated) and d I will come back to – draft structure and engagement (documents circulated) – Liz Milne, KCC – see summary of both circulated with minutes.

Liz started by going through the regulations, guidance, and government response to the public consultation, all published by Defra a week earlier. She said the regulations were long and legalistic, so went through the guidance headlines instead, which are published [here](#).

The LNRS regulations cover the following areas: -

- Creation of ‘Supporting Authorities’ – including local authorities if not acting as the responsible authority; plus Natural England, Environment Agency and Forestry Commission (arm’s length bodies) – the regulations describe how responsible authorities should work with supporting authorities.
- Requirements for wider engagement – including publishing information online/public consultation.
- Publication requirements, rules for review (3-10 years) and republication.
- Dispute resolution between responsible authority and supporting authorities.

In the case of the Kent & Medway LNRS, Liz said that alongside arm’s length bodies listed in the regulations, Medway Council will be a supporting authority. She highlighted that although LNRS monitoring is mentioned in the regulations, funding for this has not been determined. Although disputes might seem unlikely, Liz stressed that the strong partnership brought about by KNP will help in such situations if they were to arise.

Summary of LNRS guidance – context: -

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.

Purpose:

- To identify locations to create or improve habitat most likely to provide the greatest benefit for nature and the wider environment.
- Not to 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.

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.

Liz said that the phrase that planning authorities should “have regard” to LNRS is being looked at by Defra and additional, hopefully strengthened guidance will be provided on this.

In addition, she emphasised that the regulations say LNRS should be a shared effort across private, public, and voluntary sectors.

LNRS guidance: - Deliverable, not perfect

LNRSs are meant to be practical and deliverable, rather than a vision of how we wish things to be. They are important, but not as important as the action on the ground we want them to lead to.

Liz said that although the phrase “Deliverable, not perfect” seems disappointing, it is an acknowledgement from Defra that LNRS’s needs to be realistic.

LNRS must include:

- statement of biodiversity priorities.
- local habitat map.
- description of the strategy area and its biodiversity.
- describe opportunities for recovering or enhancing biodiversity in the strategy area.
- priorities for recovering enhancing biodiversity and potential measures (actions) for this.

Liz said that the initial draft LNRS mapping that KWT and KMBRC had contributed to, will put KCC/KNP in a strong position to start the work.

She said that a definition of “importance for biodiversity” had not been provided and it is possible that this will be defined at the local level. The regulations also make it clear that links to marine spatial planning need to be made, an important aspect for Kent & Medway.

Non statutory guidance is still to come, and this will be valuable too as it is based upon the pilot work carried out in a handful of counties around the country (but not in Kent).

The regulations also include a process chart for producing LNRS, this includes agreeing priorities and potential measures. Liz said that this is the point where a significant amount of stakeholder working will be required. She said that although access to nature/wellbeing was mentioned in the regulations, there could have been more on this and it would seem a missed opportunity.

- Transparency
- Inclusivity
- Clear communication

The above were listed as important to LNRS development. Liz recognised that while KNP had some reach, we would need to go beyond the “usual suspects” in terms of who we reach.

Delivery measures are not prescribed at this stage, this may be locally led, however a list from Defra may be provided at a future date.

Some overarching measures – such as hedgerows included. Recognition that public access can’t be increased in all areas. The new GI Framework from Defra/Natural England will be used to help identify areas with little green space available to the public.

AONB’s are recognised in the regulations as area with great potential for LNRS delivery and with two thirds of Kent being AONB, this is significant for our strategy delivery.

In terms of involving landowners, Liz said that while as many as possible or all need to be made aware of LNRS, we can’t expect all to respond. She also thought that getting this part right in terms of what they can offer would need work, before any wider public engagement was carried out, then public support can be built on a firmer foundation.

Kent & Medway has already made a head start on defining some LNRS principles, doing some draft mapping and more recently working with our Natural England LNRS special advisor. Some initial stakeholder mapping has been done and we have been part of the Kent, Sussex, and Surrey Responsible Authority Group, as well as a national group. Liz has also attended training. Reviews of

Kent Biodiversity Strategy and data needs have been made in relation to LNRS too. A Kent & Medway LNRS website will be developed.

Liz went through a draft chart showing an LNRS Board and Delivery Group, but this is yet to be finalised and is not for publication or wider circulation. Board will provide political & strategic oversight and ensure regulations are met, whereas the Delivery group will steer and guide, then there will be sub groups.

Work will start in May in earnest after the remaining guidance and detail on funding is published.

In terms of the next steps with Defra, Liz understood that 1to1's will be set up with each Responsible Authority and that the non-statutory guidance for LNRS is still to be published.

### **3. Update on woodland initiatives - Matthew Woodcock, Forestry Commission – presentation will be circulated with minutes.**

Matthew outlined some woodland creation examples, saying that modern forestry was about the “whole tree scape”, including a range of natural capital services.

- Uckfield flood 2021 – provision of “leaky dams” illustrated what can be achieved in terms of flood alleviation, this work was carried out at the head of the Medway.
- Meopham School – planting from 30 years ago, opposite school grounds at White Horse Wood, has come to fruition and is a great resource and legacy for children.
- Thanet Urban Forest is another great example.
- Boughton Monchelsea – Salts Farm community woodland, children involved in this Agroforestry scheme in 2021.
- Schools’ careers sessions, led by Forestry Commission.
- HMS Victory – “Oak to restore victory” project.
- Petersfield – woodland delivering wider benefit.

Matthew Woodcock said that corporate sponsors are looking for multifunctional projects. Matthew Balfour said that SENP presented a good opportunity to scale up projects, where investors are looking to invest large amounts.

Nick Fenton – districts are looking at land holdings – valuable in some cases or costing them money in others– the latter has the potential for biodiversity, whether through BNG or other sources.

Golf courses have a lot of additional land; Sarah Jane from Sussex LNP has done a lot of work with Surrey golf course in terms of biodiversity.

Ellen Schwartz pointed out that the health benefits go well beyond the immediate benefits of trees and provide for good air quality and flooding amongst other things.

Matthew Woodcock stressed the importance of telling stories, such as the prevalence of chestnut in Kent being due to poles needed to hang hops on. In this way, people become invested in trees as part of their heritage.

Matthew Balfour asked if there was a grants advice page, as this is all on gov.uk, he offers for Matthew Woodcock to provide something for the KNP site.

### **4. Biodiversity Net Gain - Liz Milne – presentation circulated with minutes.**

Liz said that as with LNRS there had been a long wait for secondary legislation, still not published for BNG but that KCC/KNP had been preparing in the meantime.

The Kent BNG Officer has been recruited – Nicky Britton-Williams, seconded from KWT, started 15th March. The funding came from Defra and the spare money will be used for the development of a BNG sites register for autumn 2023.

Defra have also just announced £25K per authority for 2022/23, however, this very late, retrospective announcement of grant, is proving problematic and the aim is to carry this over to 2023/24 to help further build capacity and enable the districts to determine net gain.

Model policy training and county guidance on what “areas of strategic significance” might mean and what good offsite BNG should look like is in the offing. Monitoring and enforcement are other areas where guidance and training will be needed.

Government response to the BNG consultation was recently published [here](#) but the significant detail in terms of next steps are: -

- November 2023 – mandatory net gain comes in.
- Same for Nationally Significant Infrastructure Projects (NSIPs) in November 2025
- Small sites, April 2024.

A “strategic significance score” is included in the metric, which was published last week [here](#).

Local Authorities can make BNG available, but it will be an open market and they can't make developers buy from these areas. There will be a Natural England BNG register, not as a market place, but to ensure offsite BNG is delivered.

It has been established that nutrient neutrality and BNG can be staked.

An indicative price for Biodiversity Credits will be published soon, by Natural England.

Planning Enforcement will be the main mechanism, so this will put a considerable pressure on LPAs, most of whom don't do this sort of work and don't have the resources.

## Questions

Matthew asked if KCC had land it would put up for this and be collecting credits?

Liz said KCC could set up a habitat bank, but there is a date before which land can't be counted. This is not currently planned by KCC, however. She said that it was more likely that the districts and boroughs would provide local authority land.

It was recognised that securing land for 30 years will be a big ask of land owners.

Matthew asked that all future BNG updates be shared with KNP.

Nick Fenton asked Liz if she was ready for a presentation to Kent Housing and Development Group yet, but Liz felt this would make more sense later in the year, when the work is more established, and questions can be properly answered.

## **5. Development of KNP Darent Valley meeting agenda 18 May – Chris Drake**

This is the annual joint Board and Management Working Group meeting, to be held in person at Castle Farm. Chris went through the draft agenda, which features the Darent Valley Landscape Partnership Scheme, the Darent Valley Landscape Recovery pilot (ELM), including Farmer Cluster.

KWT and KD AONB and South East Rivers Trust will present in the morning on this along with farming cluster lead William Alexander. This will be followed by a trip to nearby meadow restoration at Preston Farm.

The afternoon will use this context for a discussion around applying blended finance and Nature based solutions on the ground, but this will also include a presentation from KWT Consultancy and one from KD AONB on Farming in a Protected Landscape. The co-founder of Oxbury the Agricultural bank will also attend and present.

The discussion will focus on the role of Nature Partnerships and local authorities on this area.

## **6. Brief updates – Chris Drake**

The consultation "[Taxation of environmental land management and ecosystem service markets](#)" is now live . This consultation is good news as these taxation issues were an area KNP & KRP pushed for action on in the letter to the Secretary of State. SENP also pushed for attention on this in a recent letter to the Chancellor. Farmers don't pay inheritance tax for agriculture but as its stand have to do so for nature recovery and nature-based solutions. These issues in the context of ELM are explored in the consultation paper and the deadline is 9 June.

MB asked for CLA to be asked to come to KNP with points to be refined into a KNP response.

Environmental Outcomes Reports: a new approach to environmental assessment; this consultation seeks views on a proposed new system of environmental assessment ('Environmental Outcomes Reports') to replace the current EU-derived environmental assessment processes of Strategic Environmental Assessment and Environmental Impact Assessment. At KCC, the strategic planning team are coordinating a response to this, KNP can have sight of the draft and consider a response if needed. The deadline is also 9 June.

The SENP were approached by the House of Lords Environment and Climate Change Committee to respond to their enquiry into Protected Areas in the context of the Government's commitment to protect 30% of land and sea by 2030. (so not what 30 x 30 should be but the role of LNPs and LNRSs in meeting 30x30). The Committee posed a series of questions which SENP has now responded to, this was circulated ahead of the meeting.

This was a real opportunity for SENP, as it was Lady Parminter who asked the SENP submit this. She proposed the cross-party Lord's amendment to the Levelling Up and Regeneration Bill to strengthen the status of LNRSs by incorporating them in the Local Development Plan, making them a statutory planning document – an ongoing development.

SENP made a similar point in their response to this enquiry, but made 20 different points, so Chris suggested the Board take a look at this in their own time. He concluded that it was a good opportunity to stress the importance of LNPs in terms of stakeholder working and the vital supporting role we will have in LNRS and working towards 30 x30.

Matthew acknowledged that this was a sign that central government are taking notice of LNPs now and need our views and expertise.

#### 7. AOB

Alan Jarrett will finish as leader of Medway Council on 24 May he said, but will be on leave on the 18 May when the Darent meeting is being held. He will however retain a place on the KNP Board and will be attending the autumn meeting.