

# Oxon LNP Board Paper for Approval

<b>Title:</b>	Working groups' relationship with Board
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<b>Date:</b>	14/09/2022

## Summary:

The Local Nature Partnership currently has two sub-groups, with four more that are in development. This paper provides an overview of these.

Following a meeting of key stakeholders, this paper makes the following proposals regarding communication between each group and the Board:

- A Board member takes on responsibility for representing each group at Board meetings (a list of proposed Board members is contained within this paper)
- The LNP Manager prepares an update paper (with the help of the Chairs of the groups) for presentation to the LNP Board at each Board meeting.
- The Chair of the group has the option to present a paper directly to the Board, should there be a significant issue that needs approval or decision

This paper also gives an update on activity from each group, provides Board members with insight into key decisions taken by each group, and poses some questions to the Board.

## The Board is asked to:

- Consider and approve Biodiversity Advisory Group to operate as a LNP subgroup, and comment on the role it might play
- Approve this approach to sub-group/Board interaction, or suggest amendments
- Answer the questions posed by each group:
  - Is the right level of detail provided in these updates?
  - Is there any additional purpose the Biodiversity Gain group could consider to help the LNP meet its aims?
  - Would any Board member like to Chair or attend the Nature Policy Sub-group?
  - How can we best engage local financial institutions, angel investors, philanthropists, and the LEP in the Natural Capital Investment work?
  - What key factors determine the timeline for LNRS production?
  - Views are sought on governance structure for the LNRS and how this can best align with LNP structure, as well views on composition of the steering and technical groups and how they will relate to the LNP.

During the establishment of the Oxfordshire Local Nature Partnership, it was agreed that there would be a number of sub-groups that focussed on priority areas of work. Some of these groups exist, some are in development. All are clear that they are responsible for developing their own areas of focus within their policy remit, and that they are expected to develop an objective or objectives for delivery within each area.

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It is important that good lines of communication exist between the groups and the LNP Board, to ensure alignment of expectations, transparency of actions, and maximisation of effectiveness.

This paper serves three functions:

- 1) To provide an overview of the groups
- 2) To propose a process for two-way communication between the groups and the Board.
- 3) To get feedback from the Board on some key questions

## Proposal

Following a meeting of a majority of key stakeholders, this paper makes the following proposals:

- 1) LNP Manager prepares an update paper for each Board meeting, with an overview of key decisions and questions from all group meetings (see below). These items can be presented by the Board rep for each group.
- 2) Chair of the group has the option, with agreement of the LNP Manager and agenda-permitting, to bring specific items to the LNP Board for Approval or Decision.

## Sub Group Overview

Group	Status	Pre-dates LNP?	Purpose	Chair	Proposed Board Rep
Biodiversity Gain	Established	Yes	Advise the LNP and other key stakeholders on ways in which the benefits of Biodiversity Gain can be maximised in support of the Local Nature Recovery Strategy.  Explore the feasibility of a cohesive county strategy for Biodiversity Gain.	Beccy Micklem, OCC	Matt Whitney
People and Nature	Operational	No	To facilitate cross-sectoral collaboration to support delivery of aspects of the LNP's aims and objectives relating specifically to the relationship between nature and health and wellbeing. This includes ensuring that opportunities to engage with and value nature are equitably distributed.	Michelle Leek, Natural England  Rosie Rowe, OCC	Michelle Leek, Natural England  Rosie Rowe, OCC
Biodiversity Advisory Group	Operational, requesting to become LNP subgroup	Yes	To enable coordinated delivery of Nature's Recovery in Oxfordshire by maximising the positive impact of those working in the environmental sector by sharing knowledge and expertise	Graham Scholey, Environment Agency	Simon Smith, Cotswolds National Landscape
Natural Capital Investment	Formative	No	(DRAFT) To develop a natural capital investment plan that will leverage significant investment in Oxfordshire's natural environment.  To facilitate the establishment and enhancement of markets for ecosystem services.	N/A	Prue Addison, BBOWT

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Nature Policy	Formative	No	(DRAFT) To influence local and strategic plans in Oxfordshire, ensuring positive outcomes for nature are maximised	N/A	Unknown
Local Nature Recovery Strategy Steering Group	Formative	No	(DRAFT) To oversee the development of Draft LNRS that effectively identifies the most important natural assets for protection and a comprehensive Nature Recovery Network for Oxon to play its part in restoring biodiversity.  To secure commitment for its routine use in public body decision making, especially planning.	N/A	Simon Smith

## Biodiversity Gain group

### UPDATE:

As set out in its draft Terms of Reference, the purpose of the Biodiversity Gain Task and Finish Group is to:

- Advise the LNP and other key stakeholders on ways in which the benefits of Biodiversity Gain (BG) can be maximised in support of the Local Nature Recovery Strategy.
- Explore the feasibility of a cohesive county strategy for Biodiversity Gain.

Two meetings have been held so far. The first meeting established a shared understanding of need and agreed purpose.

The second meeting focused on (i) draft guiding principles for BG, and (ii) an interim process to approve habitat banks prior to national policy / guidance being in place.

- (i) A set of guiding principles (Annex 1) were brought to the meeting to be used as a tool to elicit discussion. The initial reflections included a desire for the principles to include:
- Consistency of approach across the county
  - Consistency for on-site and offsite BG implementation
  - Delivery of quality habitat
  - Importance of evidence to support decisions
  - Local plan policies should be consistent with Oxfordshire 2050 (*overall aim for consistent policy across the county expected to still be desired*). Local plans at different stages (WODC and Ox City currently reviewing theirs). Potential of SPD to achieve policy alignment.

Focus of discussion naturally fell to the 10% BG requirement and whether Oxfordshire should seek to secure greater gains. Some advocating aiming for 20%, but others more cautious. Evidence to support this was felt to be an important factor by some.

Aspects of this initial set of guiding principles will be brought to the next meeting on 5<sup>th</sup> Oct for further discussion.

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- (ii) Broad support for exploring an interim approval process for habitat banks in the county was received. This is important step forward meaning habitat creation works needn't wait until all the relevant guidance is released from Defra prior to implementing habitat creation works. This need was identified as a landowner had come forward with the private capital and interest to deliver a wetland creation and arable reversion project on his land. His aim is for the land to be of SSSI quality by year 30. WODC (where the land is situated) was keen not to do anything outside of that, that would be approved in other districts. BG Task and Finish Group provided the ideal platform to explore this. Discussions now continuing with landowner, TVERC and the LPAs in particular though input from the whole BG Task and Finish Group will be sought on the process to guide the appropriate balance between the robust nature of the process and deliverability.

## Annex 1: Biodiversity Gain Guiding Principles – Discussion Paper

### Introduction

Agreement sought from the Biodiversity Gain Task and Finish Group to work towards a set of Guiding Principles which could help Biodiversity Gain (BG) optimise its impact for biodiversity. The purpose of this initial paper is meant to elicit discussion and get people thinking.

### Context

It is important to recognise that BG has the potential to lever funds to support nature recovery, but only if it is implemented well. There is also potential for BG funds to have no, or even have a negative impact, if it is implemented ineffectively.

The driver for this initial list of Guiding Principles has been the steps the BG Task and Finish Group can take to ensure that quality biodiversity enhancements will be delivered through the Biodiversity Gain policy and actually results in real biodiversity gains being secured. Once agreed, these Guiding Principles could be adopted as the foundation for BG policy application in the county.

### Proposed Guiding Principles

1. Work towards a co-ordinated and consistent approach for BG. This should be at the same scale as the Local Nature Recovery Strategy (LNRS) (expected to be at county level). This could involve a common policy framework in terms of implementation of BG and harmonisation of BG policy in local plans.
2. There are two important pillars of the Environment Act that are of particular relevance to this group, BG and LNRS; they are not linked by current / proposed legislation. There should be an ambition to link the two, to lever funds to the priority areas in the county. (Although, quality biodiversity projects not in the nature recovery zones should not automatically be discounted.)
3. Work towards requiring a certain percentage as offsite BG. Seek an appropriate balance between onsite and offsite BG. The BG mitigation hierarchy requires the prioritisation of onsite BG (avoid, mitigate, compensate). Research is suggesting that so far 93% of BG is being carried out on site. While this is a sound approach, it is questionable whether the resulting biodiversity gain (1) is additional, rather than delivered as a result of other policies such as SUDS, green

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space requirements, landscaping etc.; (2) will result in quality biodiversity habitat. Common species will benefit from onsite BG, but due to the proximity of people, dogs and cats, the impact of lighting, run off from hard surfaces etc. few rarer species will benefit; and (3) onsite gains will not contribute to the LNRS.

4. Review the 10% minimum requirement for BG. The Group will consider if 10% will actually result in a biodiversity gain and is open to discussions/evidence about whether 10% is sufficient.
5. Ensure third party verification is required at certain points in the monitoring process for onsite and offsite BG Agreements to ensure landowners do not “mark their own homework”.
6. Put procedures / checks in place to ensure quality information is provided from developers and that metrics (both onsite and offsite) have been completed by competent and qualified individuals.
7. Adopt a ‘biodiversity comes first’ approach when applying policy. Biodiversity gain should take precedence and not lose out to public space, developer concerns, proximity to development, etc.
8. Be precautionary in BG predictions to ensure the uplift potential is not over-estimated.
9. Avoid good quality agricultural land being used for BG (except where clear rationale e.g. connecting corridor).
10. Agree an approach to Open Mosaic Habitat (OMH). OMH on previously developed land is classed as ‘Highly Distinctive’ in the Defra 3.1 metric. While there is no doubt that this is an important habitat, it is arguably the type of habitat most often created, as urban sites are left derelict. Trading rules in the metric suggest that the loss of OMH should be compensated for by the gain of the same habitat. However, securing a site appropriate for OMH creation is problematic from a price perspective as nearly all will be appropriate for development. Additionally, creating OMH on land that has never had a hard surface is likely to involve the introduction of aggregate or substrate and removal of topsoil etc. Introducing man-made elements into a “green” habitat is inappropriate. A policy could be adopted to compensate for losses of OMH with the creation of other habitat classified as highly distinctive by the metric e.g. lowland meadow, lowland mixed deciduous woodland or lowland heathland.

## KEY DECISIONS:

## QUESTIONS for the Board:

- 1) Is this the right level of detail? What information would you like to see in subsequent updates?
- 2) Is there some additional purpose that could be useful for the Group to consider in assisting the LNP to meet its aims? See ToR.

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## Nature and Health group

### UPDATE:

Having reflected on the invaluable input from a range of perspectives during the first meeting of this newly established group, the chairs propose the following overarching principles, priorities for action and key enablers for the LNP Health and Nature Working Group.

### Overarching principle

Priorities, objectives and actions of the Working Group should be informed by an overall aim of promoting equity<sup>1</sup> in access to and engagement with nature. This means a clear focus on understanding and supporting different needs relating to diversity and inclusion and targeting resources appropriately.

### Priorities for action:

#### 1. Input into the Local Nature Recovery Strategy

- With a view to ensuring that access to nature is a key theme throughout the strategy, based on 'One Health' principles<sup>2</sup> which do not separate human and environmental health.
- This is likely to involve a representative from the Health and Nature Working Group sitting on the steering group for the Local Nature Recovery Strategy development. This representative will act as a point of contact for the wider working group, to ensure that a range of perspectives are taken into account and updates fed back to the group.

#### 2. Promote Green Social Prescribing

- Oxfordshire County Council and 'BOB' Integrated Care Board are in the process of developing a social prescribing strategy for Oxfordshire. Public Health is linking into this to ensure that nature-based activities are referenced and consideration is given to the support needed by environmental community groups.
- The Working Group has an opportunity to inform this strategic process as well as collaborating to improve communication between stakeholders and build capacity in the system.

#### 3. Promotion of high-quality green infrastructure that works for people and nature

- This should have a focus on both urban and rural settings – from small community/residential greenspaces ('bringing nature to people) to larger rural greenspaces ('bringing people to nature')
- Natural England's Green Infrastructure Standards, to be published in December 2022, and other local design codes will be key advocacy tools.
- The Group can also help by making clear linkages between nature-based solutions that are being considered for climate mitigation and adaptation, and opportunities to improve access to nature for wellbeing.

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<sup>1</sup> N.b. 'Equity' recognises that different groups have varying capability and opportunity to lead healthy lifestyles. To achieve fairness in health outcomes, resources should be targeted at those with the greatest need. This differs from 'equality' which seeks to treat everybody the same, by offering the same resources or opportunities, which may result in unfair outcomes.

<sup>2</sup> [One health GLOBAL \(who.int\)](https://www.who.int/one-health)

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- We need to think about how to combine physical environment interventions with community activation/health promotion.

## Key enablers

1. Networking and collaboration
  - a. A key aim of Working Group meetings will be to support active collaboration. Regular 'member updates' can be submitted and shared in advance of meetings, with a specific focus on identifying partnership needs/opportunities, to be considered by the group.
2. Mapping of need and service provision
  - a. An initial mapping project will provide an overview of environmental projects and other relevant stakeholders in Oxfordshire that promote nature connectivity for health and wellbeing.
  - b. Combining this with a measure of need (e.g. deprivation/other public health measures) will help the group to understand where the gaps are in provision based on geography or population characteristics, and therefore where investment is needed.
  - c. This overview will also be helpful as a 'who's who' of potential partners.
  - d. We are exploring options for delivery of this and will report back to the group as we wish to build on mapping that has already been undertaken/is planned.
3. Mapping funding opportunities
  - a. A similar project to map potential funding sources (national/regional/local) will help member organisations improve access to funding and support joint funding bids.
  - b. This will also help the partnership/wider group understand where funding gaps are and start to think about ways to develop more sustainable funding models with the biggest impact on inequalities.

KEY DECISIONS:

QUESTIONS for the Board:

## Biodiversity Advisory Group

UPDATE: The Biodiversity Advisory Group's (BAG) purpose as set out in its Terms of Reference is

*Coordinated delivery of Nature's Recovery in Oxfordshire.*

*To maximise the positive impact of those working in the environmental sector by sharing knowledge and expertise.*

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KEY DECISIONS: N/A

QUESTIONS for Board: Does the LNP Board approve of BAG's request to become a working group of the LNP? Does the Board have any comment on the potential remit of this group as an LNP sub-group?

## Natural Capital Investment group

UPDATE:

A proposal for the creation of a Natural Capital Investment Plan was developed in 2021, but not acted upon. Since then, much activity has begun in the county, but not in a joined-up way. Key stakeholders are now coming together to take this work forward, including from business, academia, agriculture, eNGOs, public sector and environmental funders.

KEY DECISIONS: To embark on the creation of a Natural Capital Investment Plan for Oxfordshire, one element of which will be the development of a pipeline of investible projects.

QUESTIONS for the Board: how can we best engage local financial institutions, angel investors, philanthropists, and the LEP in this work?

## LNRS technical steering group

UPDATE:

The Environment Act 2021 introduced a requirement to produce Local Nature Recovery Strategies (LNRS); these will establish priorities and map proposals for actions to deliver nature recovery. They will be created in a collaborative way at a County scale.

Whilst originally expected in Spring 2022, we still await the publication of secondary legislation and guidance on LNRS. Therefore, formal production of the strategy has not yet begun. However, much background work has already been undertaken by a range of partners, which will inform the LNRS.

### Progress to date

A meeting of some partners was held on 18<sup>th</sup> July to start to discuss ideas around governance, timelines, existing material, stakeholder groups and funding. A meeting has also been held to discuss LNRS in relation to LNP subgroup structure.

### Governance

The structure and governance for the LNRS is starting to be considered, but raises several challenges and queries, not least how it will relate and interact with the newly forming LNP.

Oxfordshire County Council have accepted Defra's nomination as provisional Responsible Authority for the Oxfordshire LNRS. This is a non-binding agreement made at Defra Officer level on the understanding that local authorities within Oxfordshire have yet to formally consider and agree which body would become the responsible authority for the Oxfordshire LNRS area.

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Once secondary legislation and guidance, and information on funding is available, and subject to agreement of other local authorities, approval of Oxfordshire County Council as Responsible Authority will be sought from OCC cabinet.

Consideration is also being given to presenting a tentative governance structure to the Environment Action Group (EAG) of the Fairer Oxfordshire Partnership to seek agreement over Responsible Authority and structure.

It is proposed that an interim LNRS development group be set up at this stage, to help shape the structure and governance of the LNRS. It is suggested that the group comprise:

OCC – Nick Mottram and Beccy Micklem

LNP – Matt Whitney

LNP board/AONBs – Simon Smith

Defra bodies – Graham Scholey

LNP board/BBOWT – Prue Addison

Wild Oxfordshire- Camilla Burrow

The structure for the LNRS, based on the pilots run by Defra, is likely to comprise a steering group, plus technical groups. It is not yet known how prescriptive regulations and guidance will be with regard structure and representation of organisations.

One suggestion has been that the LNRS steering group is a LNP group led by OCC/RA. Consideration also needs to be given to how technical LNRS groups would relate to LNP subgroups, with a view to avoid duplication of groups whilst ensuring that the Responsible Authority retains an appropriate level of input and influence over outputs of LNRS technical groups.

## Timeline

It has generally been assumed that LNRS should be in place by November 2023, when Biodiversity Net Gain will become mandatory, so the LNRS can steer delivery of BNG. However, with the delay of regulations and guidance this deadline seems unrealistic; a draft LNRS by this stage would be helpful – there is also pressure to have a LNRS in place (or in draft) to inform Local Plans. Timing of engagement with farmers will also be a factor.

## Existing material

There is a wealth of existing material that can be used to inform the LNRS; consideration is being given, with input from TVERC, to what data we have, how best to use these data and how to involve local recorders.

## Stakeholder groups

We are in a strong position due to previous work, through BAG and the upcoming LNP forum, and stakeholder mapping work by Wild Oxfordshire. The Nature Ambassadors work

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has been key in identifying farming and business representatives. Further consideration is needed of how these stakeholder groups are best engaged and how they will relate to the governance structure.

## Funding

No detail is available yet on how much funding will be made available to support LNRS production. OCC has received some seed-corn funding – this is likely to be used on early data work but may also be helpful in funding farmer facilitator’s time to engage.

KEY DECISIONS: None

QUESTIONS for the Board:

*OCC would welcome views of the LNP on governance structure for the LNRS and how this can best align with LNP structure, as well views on composition of the steering and technical groups and how they will relate to the LNP.*

*Views are sought from the LNP board on any other key factors in determining the timeline for LNRS production*

## **Nature Policy group**

UPDATE: There is appetite for this group from some partners, and the need to ensure Local and Strategic Plans have strong environmental policies within them has never been stronger. Work is going on to establish a timeline for all Oxfordshire plans that the LNP may wish to influence. A Chair is yet to be identified

KEY DECISIONS: None

QUESTIONS for Board: Would any Board members like to be the Board representative for this group, and work with the LNP Manager to establish it?