

7 August 2024

Freedom of Information Request, Oxford City Council – Reference: **EIR2024/00777**

Further to our acknowledgement, we can confirm that Oxford City Council can advise as follows in response to your Freedom of Information Request received on 12 July:

Request

I would like to make a Freedom of Information request to the council with respect to the implementation of the 'biodiversity duty' of the 2021 Environment Act.

The duty requires public authorities to undertake a first consideration by January 1 2024. Did the council produce its own first consideration report or document by that date? If so, I would like to make a request for any such report or document. How many meetings did council officials and elected politicians undertake with respect to the first consideration?

The duty asks that public authorities "must agree...policies and objectives as soon as possible after [January 1 2024]". I would like to request information about how many meetings have been undertaken by council officials and ministers to that end in addition to individual summaries of those meetings. Has the council agreed policies and objectives related to the duty? If so, I would like to request a summary of those policies.

If there are any parts of my request that require modification, please email me as soon as possible.

Response

Response - Part 1

We can confirm that Oxford City Council did undertake a first consideration of its enhanced biodiversity duty under the 2021 Environment Act prior to 1st January 2024. This consideration comprised of the following key elements:

- The prospect of an enhanced biodiversity duty was raised internally in a briefing note entitled 'Implications of the Environment Act for the Oxford City Council' in July 2022.
- A [report was presented to Cabinet in March 2023](#) with a proposed approach to the development of a Biodiversity Strategy for the City of Oxford. Whilst the focus of this briefing was on the biodiversity strategy itself, the enhanced duties of the council under the Natural Environment and Rural Communities Act 2006 (as amended by the Environment Act 2021) were introduced to Councillors at this time.
- In April 2023, a briefing on Enhanced Biodiversity Duty was given to the Net Zero Steering Group by the Council's Ecology and Biodiversity Officer. The aim of the briefing was to draw attention to changes in the statutory duties of Oxford City Council in relation to biodiversity, the introduction of a new process for how these duties should be considered, and additional reporting requirements the Council must fulfil. A methodology for undertaking the first consideration was proposed, and the responsibility for drawing together the first

consideration was taken by the Environmental Sustainability team. Teams across the Council would assist with providing personnel and information to complete the consideration.

- In June 2023 a [briefing was given to the Climate & Environment Scrutiny Panel](#) on the development of the Biodiversity Strategy, and its [report presented to Cabinet in July 2023](#).
- The work on the first consideration was carried out from September to November 2023, led by the Ecology and Biodiversity Officer, in collaboration with heads of the following services: Corporate Assets, Green Spaces, Regeneration, and Housing Services.
- The report entitled 'Final First Consideration of Biodiversity Duty' was drafted for March 2024 by the Ecology and Biodiversity Officer, to summarise the first consideration work carried out in 2023 and subsequently reviewed by relevant colleagues in July 2024. The final report is attached.

EIR Request Part 2

The duty asks that public authorities "must agree...policies and objectives as soon as possible after [January 1 2024]". I would like to request information about how many meetings have been undertaken by council officials and ministers to that end in addition to individual summaries of those meetings. Has the council agreed policies and objectives related to the duty? If so, I would like to request a summary of those policies.

Response - Part 2

Oxford City Council has carried out the following work in addressing its duties, and works are ongoing:

- A new Oxford Local Plan has been drafted and submitted to the Secretary of State for approval. If approved, the number of policies directly related to biodiversity will increase from one to three. These policies seek to afford additional protection to the most valuable habitats in Oxford.
- Work on the Oxfordshire Local Nature Recovery Strategy (LNRS) is being led by Oxfordshire County Council, with input from the Districts and City Council. Officials across several teams in the City Council have attended meetings and workshops, and City Council has also hosted a meeting on the topic for Councillors.
- Work has begun on the development of a City Council Biodiversity Strategy, although this and other First Consideration report actions have been considerably constrained by resourcing, particularly as the Council has been unable to recruit a permanent replacement Principal Ecology and Biodiversity Officer, since March '24.

If you disagree with any part of the response to your request, you are entitled to ask the Council for an internal review of the decision(s) made. You may do this by writing to the Monitoring Officer, by either email monitoringofficer@oxford.gov.uk – or by post to Monitoring Officer, Oxford City Council, Town Hall, St Aldate's, Oxford, OX1 1BX. After the result of the internal review, if you remain dissatisfied, you may ask the Information Commissioner to intervene on your behalf. You may do this by writing to the Information Commissioner's Office, Wycliffe Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

Freedom of Information Officer

| Freedom of Information Team | Law & Governance | Oxford City Council | Town Hall | St Aldate's
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