

Environment Act 2021: Section 102 (Biodiversity Duty) - London Borough of Lambeth Action Plan

A. Introduction

As part of its statutory duties under the Environment Act 2021, Lambeth Council is required, as an accountable public body, to undertake a series of actions to conserve and enhance biodiversity within the borough. Section 102 of the Act places a duty on Lambeth to conserve and enhance biodiversity, and to evidence that it has targets and deliverable outcomes to achieve this. This document discharges Lambeth's duty under Section 102, Part 3 to '*consider what action the authority can properly take...to further the general biodiversity objective. After that consideration, the authority must determine such policies and specific objectives as it considers appropriate for taking action.*'

Part 3, subsection (1C) states that the first consideration under this duty must be completed within the period of one year beginning with the day on which section 102 of the Act comes into force. Under the Environment Act 2021 (Commencement No. 5 and Transitional Provisions) Regulations 2022, section 102 came into force on 1 January 2023. Lambeth's consideration was completed by 1 January 2024 and has subsequently been translated into this more detailed action plan.

i) Introduction

Section 102 strengthens and improves the existing duties on public bodies, including local authorities like Lambeth Council, to conserve and enhance biodiversity, in accordance with the proper exercise of their functions. It asks the Council to be more explicit in how they decide on actions to conserve and enhance biodiversity, and then that they take these actions.

It also adds a requirement for the UK Government to give public bodies, including local planning authorities, guidance on taking matters such as Local Nature Recovery Strategy (LNRS – in Lambeth's case the LNRS for Greater London) into account when discharging their biodiversity conservation and enhancement duties. Public bodies must publish this guidance within two years from when this particular section of the Act comes into force. They must then keep the guidance under review and revise it when they consider it appropriate.

Section 102 also states that Lambeth Council must periodically consider opportunities available to improve biodiversity, across the full range of its functions. This must also be a more proactive, strategic assessment of its functions rather than considering each function in isolation, such as within a particular service area or site. If there are actions the Council can take, then it must decide how that action can be put into effect, through appropriate policies and objectives, and then take this action.

The following table summarises the principal actions being undertaken and delivered by Lambeth Council, either on its own or in conjunction with other partners in order to discharge its Section 102 obligations under the Environment Act 2021.

Table 1: Lambeth’s actions to deliver its biodiversity duty under Section 102 of the Environment Act 2021

Number	Action	Headline	Description	Lead Service(s)	Partners or Stakeholders	Completion Date	Status
1.01	Lambeth Biodiversity Action Plan (BAP)	Review progress of the Lambeth BAP 2019 to 2024	Internal review of Lambeth BAP to revise actions, along with target dates and outcomes, to determine progress/achievement. To assist with revised or new actions for updated Lambeth BAP 2025-29	Lambeth Parks		April 2024	Completed all actions in the Lambeth BAP. Action updated and published online
1.02		Update the Lambeth BAP for 2025 to 2030	External review of Lambeth BAP to ensure core document, individual action plans and actions, are relevant, appropriate and deliverable. To produce a new Lambeth BAP 2025-30	Lambeth Parks	Lambeth Parks & Greenspaces Forum, Lambeth Biodiversity Forum	November 2024	Establishing a working group to review and update BAP
2.01	Non-Statutory Wildlife Sites: Sites of Importance for Nature Conservation (SINCs)	Assess and report on status and condition of all SINCs in Lambeth	Selective field-based reviews of status and condition of SINCs in Lambeth, public and privately owned, and report to Council and Natural England/Defra	Lambeth Parks	SINC owners and land users	Annually	Ongoing, with reviews completed by September in each year
2.02		Active engagement with SINC owners and users to maintain condition and quality	Identify, engage with and support SINC owners and users to maintain or increase positive nature conservation management; includes advice on securing external grants or volunteers	Lambeth Parks	Lambeth Biodiversity Forum, Lambeth Planning, BIDs	Annually	Ongoing with engagement as appropriate

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2.03		Increase number, size and distribution of SINCs across Lambeth	Identify additional sites with potential to be designated as new SINCs, and also regrading of existing SINCs	Lambeth Parks	Lambeth Planning	December 2025	Review to be initiated during 2024
2.04		Ensure SINCs have appropriate recognition and protection	Assess developments on or adjacent to SINCs to ensure no loss of or harm, through stakeholder engagement, intervention and planning consultations	Lambeth Parks	Lambeth Planning	Annually	Ongoing with engagement or intervention as appropriate
3.01	Statutory Wildlife Sites: Local Nature Reserves (LNRs)	Increase the number of LNRs in Lambeth	Increase the number and distribution of LNRs declared in Lambeth	Lambeth Parks	Natural England, Lambeth Legal Services	Annually	Ongoing, with annual report on progress and outcomes
3.02		Ensure LNRs have appropriate recognition and protection	Assess developments on or adjacent to LNRs to ensure no loss of or harm through stakeholder engagement, appropriate intervention and planning consultations	Lambeth Parks	Lambeth Planning, Natural England	Annually	Ongoing with engagement or intervention as appropriate
4.01	Biodiversity Net Gain (BNG)	Implement mandatory 10% BNG	Working Group to prepare officers for BNG implementation, including FAQs, guidance and advice to planning officers and applicants on Lambeth's BNG requirements for eligible developments	Lambeth Planning	Lambeth Parks	April 2025	Ongoing, with draft guidance issued in March 2024
4.02		Validation and approval of BNG plans	Provide support and advice to planning officers regarding validation and approval of applications where BNG applies, including quality and appropriateness of BNG plans	Lambeth Planning	Lambeth Parks	Annually	Ongoing with officer engagement as appropriate

Number	Action	Headline	Description	Lead Service(s)	Partners or Stakeholders	Completion Date	Status
4.03		Monitor compliance of mandatory BNG	Develop protocols and processes for monitoring BNG implementation and enforcement	Lambeth Planning	Lambeth Parks	April 2025	Ongoing, with progress review in September 2024
4.04		Creating new biodiversity officer or apprenticeship position(s)	Secure funds from Defra BNG grants, BNG credits/offsetting gain and/or Apprentice Levy to finance one or more biodiversity apprentices for management of nature conservation sites in Lambeth, including SINCs, LNRs and on estates, parks or schools	Lambeth Parks	Lambeth Planning, Defra	April 2025	Proposal being prepared for internal comments by April 2025
5.01	Local Nature Recovery Strategy (LNRS)	Validation of existing information on priority nature recovery sites in Lambeth	Greater London Authority (GLA) to consult with Lambeth on draft LNRS for Greater London, including typology, location and boundaries of current LNR and SINC sites	Greater London Authority and Greenspace Information for Greater London (GiGL)	Lambeth Parks, Lambeth Planning	July 2024	Completed – current LNR and SINC site data verified and returned
5.02		Identification of ASEB (potential nature recovery sites) in Lambeth	GLA to liaise with Lambeth on sites additional to LNRs/SINCs to act as potential receptors for nature recover funding/projects	Greater London Authority	Lambeth Parks, GiGL	December 2024	
5.03			Residents and stakeholder groups to identify additional recovery sites for inclusion in Lambeth’s LNRS offer, including site mapping, assessment and ownership	Lambeth Parks	Ward Members, Lambeth Parks & Greenspaces Forum, Lambeth Biodiversity Forum	December 2024	

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5.04		Definitive map of LNRS project sites in Lambeth	Detailed digital map of all LNRS target sites in Lambeth, including SINCs and additional opportunity sites	Greater London Authority, GiGL	Lambeth Parks, Lambeth Planning	April 2025	
5.05		Nature recovery project plan for Lambeth's LNRS sites	Individual nature recovery plans for all sites in Lambeth included in Greater London LNRS, along with actions, outcomes, costs and timescales	Lambeth Parks	Ward Members, Lambeth Parks & Greenspaces Forum, Lambeth Biodiversity Forum	August 2025	Awaiting completion of LNRS
6.01	Securing Biodiversity Through the Local Planning Process	Secure biodiversity through Pre-Application (Pre-App) and Planning Performance Agreements (PPAs)	Small sites or major planning proposals (including exempt from BNG) following a pre-application or PPA processes provided with advice on securing biodiversity on or around each site, along with evidence as to ecological protections and/or enhancements	Lambeth Planning	Lambeth Parks	Annually	Ongoing, but record kept of number of Pre-Apps and PPAs where ecological advice provided
6.02		Supplementary Planning Advice for Biodiversity	Produce additional advice or guidance notes to inform planning officers and applicants as to actions to secure biodiversity for existing and new buildings/sites. Guidance can include specific species or species groups, e.g., swifts, bats, hedgehogs	Lambeth Parks	Lambeth Planning, Lambeth Biodiversity Forum, NGOs, Ward Members	As required	Produced as required. As Local Plan updated, look to develop formal guidance for inclusion and adoption
7.01	Securing and Improving Biodiversity in Lambeth's Public Parks and Open Spaces	Increase percentage of public parks and open spaces actively managed for biodiversity	Assessment of proportion of each public open space set aside and being actively managed to protect or enhance biodiversity, broken down into habitat types	Lambeth Parks	Individual Stakeholder Groups, Ward Members	Annually	Annual reviews completed by September in each year

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7.02		Biodiversity actions and targets in site management plans	Every public park and open space has a management plan including specific achievable actions, targets and costs and timescales to conserve and/or increase biodiversity	Lambeth Parks	Individual Stakeholder Groups, Ward Members	Annually	Ongoing as plans reviewed and updated, with report on progress
7.03		Lambeth Woodland Management Strategy	Strategy to support management, and extension of existing, or creation of new woodlands in Lambeth, to conserve and increase ecological, landscape and community value, including securing additional funding	Lambeth Parks	Lambeth Tree Service, Individual Stakeholder Groups, Ward Members	November 2024	In progress, with potential Lottery bid to secure delivery of Strategy
8.01	Securing and Improving Biodiversity Across all of Lambeth's Services and Service Partners	Greater biodiversity partnership working with private and social housing sectors	Work with Lambeth Housing and registered social landlords (e.g., Peabody, MVTH) to increase proportion of land within Lambeth set aside, protected and actively managed for biodiversity	Lambeth Parks, Lambeth Housing	Registered Social Landlords, Tenants & Residents Associations	Annually	Ongoing, with annual progress and performance reviews
8.02		Improve biodiversity of Lambeth's housing estate land	Work with Lambeth Housing to identify opportunities or projects to create new areas on housing estates to be actively managed for biodiversity, including securing funding and other in-kind sources	Lambeth Housing	Lambeth Parks, Tenants & Residents Associations	Annually	Ongoing, with annual progress and performance reviews
8.03		Retrofitting biodiversity into council properties	Provide advice, including through application/consent process, to secure ecological enhancements in all council properties, including on estates, schools and council office buildings, e.g., green roofs, swift/bat boxes and pollinator-friendly external soft landscaping.	Lambeth Parks, Lambeth Corporate Property Services	Lambeth Planning, Lambeth Housing, Lambeth CYPS	Annually	Ongoing, with annual progress and performance reviews

Number	Action	Headline	Description	Lead Service(s)	Partners or Stakeholders	Completion Date	Status
8.04		Providing ecological services for schools, colleges and other education providers	Engage with and support schools and other education providers to create, extend and positively manage biodiverse spaces within their grounds, including securing funding and other in-kind sources. Produce a factsheet and information on additional resources for schools to increase positive use of public open spaces for academic benefits	Lambeth Parks, Lambeth CYPS	School Teaching Staff, Governor's Association, Parent's Associations	Annually	Ongoing, with annual progress and performance reviews
8.05		Lambeth Bee Roads – biodiverse verges and roads	Continue success of Mayor of London funded programme to increase biodiversity value of roadside, highway and housing estate verges, through conversion or replanting, alongside programme for community engagement	Lambeth Parks, Lambeth Highways & Transport	Lambeth Housing, Tenants & Residents Associations	April 2027	Ongoing, with annual progress and performance reviews
8.06		Update Lambeth's Pollinator Action Plan 2021-25	Includes range of commitments to support pollinators across Lambeth services	Lambeth Parks	All Lambeth services	July 2025	Review to commence late 2024
8.07		Co-ordinate Lambeth Biodiversity Forum	Continue to develop and co-ordinate the Forum which was set up in 2021	Lambeth Parks	All community partners making up the Forum	Ongoing	Quarterly meetings ongoing
9.01	Increasing Lambeth's Climate Change Resilience Through Biodiversity	Lambeth Climate Action Plan – Delivering on the Biodiversity Target of 30%	Secure biodiversity enhancements as part of Climate Action Plan, including embedding wildlife areas features into measures to reduce flooding, increase drought resilience, and minimise urban heating and improve air quality	Lambeth Climate Change & Sustainability	All Lambeth Services, Ward Members, Lambeth Parks & Greenspaces Forum, Tenants & Residents Associations	April 2025	Report to Climate Change Board as appropriate

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9.02		Lambeth Urban Forest Strategy	Support Lambeth Tree Service in delivering biodiversity objectives and targets in Strategy, and identify opportunities for increased native and ecologically positive species planting, including in existing SINCs, LNRs and other Council land	Lambeth Tree Service	All Lambeth Services, Ward Members, Lambeth Parks & Greenspaces Forum, Tenants & Residents Associations	April 2027	Ongoing with annual review after each year's tree planting season
9.03		Lambeth Sustainable Urban Drainage Programme	Secure biodiversity enhancements as part of the physical elements of the 'Soak Up Lambeth' SuDS programme, as well as ensuring SuDS schemes respect and conserve any existing wildlife habitats	Lambeth Climate Change & Sustainability	All Lambeth Services, Ward Members, Lambeth Parks & Greenspaces Forum, Tenants & Residents Associations	April 2027	Ongoing with regular meetings with SuDS team as to actions, targets and outcomes