



**RESPONSE BY UKELA (UK ENVIRONMENTAL LAW ASSOCIATION)
TO THE DEFRA CONSULTATION ON LOCAL NATURE RECOVERY STRATEGIES:
HOW TO PREPARE AND WHAT TO INCLUDE**

INTRODUCTION

1. UKELA (UK Environmental Law Association) comprises over 1,500 academics, barristers, solicitors and consultants, in both the public and private sectors, involved in the practice, study and formulation of environmental law. Its primary purpose is to make better law for the environment.
2. UKELA prepares advice to government with the help of its specialist working parties, covering a range of environmental law topics. This consultation response has been prepared by UKELA's Nature Conservation Working Party. It does not necessarily, and is not intended to, represent the views and opinions of all UKELA members but has been drawn together from a range of its members.
3. This response first identifies cross-cutting issues and provides commentary on our answers to the consultation questions. Our answers to the consultation questions follow.

Preliminary cross-cutting issues

4. The consultation seeks views on the implementation of Local Nature Recovery Strategies (LNRSs) in respect of the regulations and guidance to be issued at the discretion of the Secretary of State. We recommend further consultation on draft regulations and guidance. The legal framework for Local and National Nature Recovery is of considerable public interest and affects rights and obligations for land holding and land management. For this reason, certain elements of the

implementation of LNRSs, particularly those with links to the planning system, such as the status of the LNRS as a material consideration or the appeals process, or important or new policy matters, should be consulted upon and set out in either primary or secondary legislation.

5. A legally binding target to halt declines in species abundance by 2030 is foreseen in the Environment Bill and LNRSs should have a key role in ensuring delivery of this target. While other environmental benefits, such as carbon sequestration, may be achieved through nature recovery, we recommend the primary focus for LNRSs should remain nature recovery. There should be a clear link between LNRSs and national priorities for the recovery of nature, including achieving the species abundance and other legally binding biodiversity targets.
6. Local Nature Recovery Strategies are among several new environmental regimes that are linked to reversing declines in nature, including the biodiversity net gain planning condition, species conservation strategies, protected sites strategies and the 25 Year Environment Plan, as well as new Environmental Land Management (ELM) schemes that focus on Local Nature Recovery and Landscape Recovery. Consideration and guidance must be given to clarify how LNRS will interact with these new regimes.
7. The 25 Year Environment Plan contains the aim to create a National Nature Recovery Network. LNRSs and local delivery partnerships are foreseen to inform setting up and the strategic direction of the national Nature Recovery Network.¹ However the interaction between LNRSs and the Nature Recovery Network is not set out in the Environment Bill and therefore it is essential to clarify this in regulations and guidance. Guidance should be given on assessing connectivity and creating a network between sites within a strategy area and across strategy area boundaries to facilitate the creation of a joined up national Nature Recovery Network.
8. The LNRS pilots suggested the involvement of an ELM convenor to represent the voice of local land managers in the LNRS process was helpful.² We recommend funding for this role in each LNRS area should be provided. The convenor role can

¹ Defra, 'Nature recovery network' (policy paper). Available at: <https://www.gov.uk/government/publications/nature-recovery-network/nature-recovery-network>.

² Defra, '[Local Nature Recovery Strategy pilots: lessons learned](https://www.gov.uk/government/publications/local-nature-recovery-strategy-pilots-lessons-learned)'. Available at: <https://www.gov.uk/government/publications/local-nature-recovery-strategy-pilots-lessons-learned>.

act as a means of integrating the two policies, both by facilitating engagement with land managers in the LNRS process and by ensuring national ELM priorities, delivered via Local Nature Recovery and Landscape Recovery schemes, inform the content of the strategies.

9. Consideration and guidance must be given to how LNRSs are to interact with planning law, policies and processes, including how LNRSs fit within the hierarchy of local planning documents as well as national planning policy and guidance, which also serve to guide local planning decisions. The LNRS pilots adopted different approaches to their interaction with planning policy; an inconsistent approach would create uneven status of LNRSs. A key issue is whether biodiversity priorities are to be a material consideration or whether they will have more significance due to an interaction with national environmental objectives and new legislative duties concerning the protection of the environment.
10. It is anticipated that Local Nature Recovery Strategies will be delivered through local partnerships. Responsible authorities are mandated to prepare LNRSs and are appointed by the Secretary of State from a list that comprises local authorities, the Mayor of London, the mayor for the area of a combined authority, a National Park authority, the Broads Authority and Natural England. Responsible authorities should be democratically accountable in order to ensure local legitimacy. There should be requirements to obtain independent scientific assessment and duties to consult and collaborate. Consultation and collaboration in gathering information and setting priorities must be at an early stage, well-publicised, meaningful, wide-ranging, inclusive and properly resourced.
11. A dispute mechanism that operates at appropriate levels will be dependent on the status of LNRSs. A further consideration for dispute mechanisms is the impact of LNRS across the devolved nations. Ecosystems do not respect national boundaries and in a number of places critical ecological features form national boundaries.
12. Because LNRSs are located at local level, there is a need to prescribe core content and structure for this process to ensure minimum standards and to enable comparability and meaningful long-term monitoring of their effectiveness.
13. An accurate assessment of biodiversity and biodiversity opportunities in the strategy area requires all land within the strategy area to be recorded consistently and

updated on a regular basis. It is essential to map and assess non-designated land with biodiversity value and land with potential biodiversity value or value for other environmental aims. The data that arises from these exercises, as well as that already held by local authorities (for example, in the form of SEA studies, EIA reports, or site-specific surveys associated with planning applications or conditions imposed on planning permissions) should be collated in a comprehensive central database that is kept up to date. Consistent data is critical in underpinning LNRS as a basis for the national Nature Recovery Network.

14. Feedback from the LNRS pilots indicated that some pilots are investigating what a delivery plan might entail.³ Defra highlights that the regulations and guidance have an important role to play in making sure that LNRSs are shaped to work with the funding mechanisms. In light of this, it is important to set out how the necessary measures in each LNRS will be linked to the corresponding funding mechanisms for delivery.
15. It is important that funding is set aside by local authorities for LNRSs. Funding set allocated to the implementation of LNRSs and other related measures foreseen in the Environment Bill should be reviewed as to whether this level of funding is adequate.
16. Consideration should be given to how non-designated sites become part of a Nature Recovery Network and as to the means of involving land where a landholder is not willing to participate.

Commentary on the consultation questions

Achieving collaboration in the preparation, publication and review of LNRSs (Questions 5-13)

17. All groups listed in Question 5 (Q5) should be able to contribute to the preparation of LNRSs. It is essential to consult any other significant landowners or managers, including tenants, in the strategy area or neighbouring area, particularly those with interests or control over land with high or potentially high biodiversity value as well as

³ Defra, '[Local Nature Recovery Strategy pilots: lessons learned](https://www.gov.uk/government/publications/local-nature-recovery-strategy-pilots-lessons-learned)'. Available at: <https://www.gov.uk/government/publications/local-nature-recovery-strategy-pilots-lessons-learned>.

local or national environmental or conservation organisations. (Q6) It is essential that there is broad public and stakeholder consultation in the preparation of the strategy, but it is recognised that a smaller group, representative of the local area and with relevant expertise, is required for drafting a LNRS.

18. Additional support and advice for farmers, landowners, developers and land managers must be given to support their involvement in the preparation, consultation process and implementation of LNRSs. (Q7)
19. On the provision of environmental information, we suggest due consideration of the intellectual property value of environmental information, particularly that of environmental and conservation organisations and biodiversity records centres, should be given. If voluntary organisations/NGOs are required to provide information care must be taken not to divulge this without permission and provision should be subject to reasonable fees being payable in the normal way. There is a vast, but poorly connected network of groups that will have valuable data. This ranges from local bird-watching groups, some of which prepare annual reports, to the big national bodies that run recording schemes, such as the Botanical Society of Britain and Ireland and Butterfly Conservation, as well as the special interest groups that study the less high-profile groups of flora and fauna, such as the British Myriapod and Isopod Group. Many of these may be linked to the national and local record centres, but it is unclear how this works in practice, especially for local groups; information may not be available, not because it is consciously withheld, but because connections are not made. Furthermore, there should be safeguards to protect information on locations of rare plant and animal species. (Q8, Q9)
20. Neighbouring responsible authorities should be required to work together (Q10) to pool information and assess common issues. A broader duty to collaborate in respect of ecologically coherent areas at appropriate ecological scales, for example catchment areas or landscape-scale is recommended.
21. Local public consultation prior to the publication of a draft LNRS (Q11) is essential for the purposes of information gathering both for assessing and deciding on biodiversity priorities and for local habitat mapping.
22. In regard to Q12 on whether individual landowners or managers should be able to decide whether land they own or manage should not be identified as an area that

could become of importance for biodiversity, we do not consider existing property interests are compromised in classifying and mapping land in this way.

Achieving consistency and resolving disagreements (Questions 14-23)

23. Q14 asks how prescriptive regulations should be in setting out how responsible authorities should work with local partners. Principles and specific requirements for partnership working are needed to give appropriate status and resourcing to partnership working as a mode of delivery of LNRSs. Principles and specific requirements should be flexible to allow for diverse local circumstances, including existing partnership working. Sufficient resourcing is needed to support delivery through partnership work. Further considerations on consistency of approach are found below in answer to later sections.
24. Appropriate mechanisms for dispute resolution and sign-off should be reviewed and lessons learnt from local authority planning processes. It is important to ensure LNRSs have appropriate planning and administrative status. Interaction with local planning processes and resulting local plans should be set out clearly. Sign off responsibilities for responsible authorities and the role of Natural England should be clarified.
25. It is recommended in regard to Q18, on when it may be possible to escalate procedural disputes for external consideration, that the process of preparing a LNRS should be set out in the regulations. This should include timescales and consultation processes, and when disputes may be raised at specific stages. Sign-off responsibility and rules should be set out in regulations.
26. The body tasked with considering disputes (Q22) must be adequately resourced and able to make a recommendation. The body must possess or be able to call on relevant, particularly ecological, expertise when resolving disputes. There is a need to clarify the level of dispute, for example minor disputes may be dealt with by the responsible authority in an internal dispute process. It is recognised that LNRSs are located within the planning process, although this needs clarifying further, and will thus be subject to judicial review and the Office for Environmental Protection's enforcement procedures. The Environmental Tribunal may also be considered as a competent body in this regard.

27. Powers for the Secretary of State in resolving disputes, as a final arbiter, in the preparation of LNRSs (Q23) must be set out clearly in legislation as well as the status of recommendations made by the body tasked with considering disputes.

Publication of Local Nature Recovery Strategies (Questions 24-28)

28. Publication of LNRS on a national website, as well as locally, is recommended, but it is important that these records be kept up to date. In addition to the scheduled review of LNRSs, provision should be made for review due to a major change of circumstances, subject to procedural conditions. (Q28)

Review and republication of Local Nature Recovery Strategies (Questions 29-30)

29. Review of LNRSs should be set nationally and take place within maximum time periods fixed nationally. This would allow coordination between local authorities and at a regional and national level, enabling strategic responses to environmental issues. Review may be less onerous than creation of LNRSs, however it is recognised that sufficient time should be allowed for gathering environmental information and consultation. Adequate resourcing and consistency in monitoring and reporting should facilitate review.

Statement of biodiversity priorities (Questions 31-40)

30. Adequate resourcing for and consistency in gathering environmental information is essential for the creation and review of LNRSs, in particular to facilitate review of and progress on meeting environmental obligations and targets at local, regional, national and international levels. (Q31)
31. Strategy area sub-areas should also be identified consistently. (Q32) These should link with the information shown on local habitat maps. Due to the multiple existing classifications and designations of land, it would be useful for LNRSs to apply layers showing this information as well as habitats. Further, ecologically coherent sub-areas should be identified and shown on maps in order to facilitate nature recovery at local and landscape scales.
32. The Environment Bill (cl 107(2)) makes provision for the statement to include a description of the strategy area and its biodiversity, a description of the opportunities

for recovering or enhancing biodiversity in the area, priorities for recovering and enhancing biodiversity in terms of habitats and species – and taking into account the contribution biodiversity can make to other environmental issues – and potential measures for taking action to achieve biodiversity priorities. In this way, the Bill maintains a focus on habitats and species for biodiversity recovery.

33. The statement of biodiversity priorities should include all other environmental information relevant to biodiversity and other key environmental matters. (Q33) Key issues for consideration include setting environmental baselines, the review of designations, monitoring of habitats and species, habitats identified as particularly important for biodiversity, climate change and other environmental issues, and changing environments and landscapes. Links to planning, agriculture and environmental law and policy frameworks must be set out clearly and consistently.
34. Further to Q34, it is recommended that terminology is clear and not easily confused in order to facilitate the creation and implementation of LNRSs and so that the statement of biodiversity and accompanying local habitat maps can be easily interpreted, particularly in regard to legal responsibilities. Due to the importance and likely use of the local habitat map as a planning tool, it is essential that relevant information is included, up to date and clearly identified on the map.
35. A consistent approach to the creation and review of LNRSs, and to the content of the statement of biodiversity priorities and local habitat maps, is essential to achieving national environmental objectives, coherent regional objectives and complementary neighbouring local strategies. (Q35 and Q36) Consistency in priority setting can be achieved by following a standardised process, via common principles and procedural rules, that may be tailored to local circumstances.
36. LNRSs offer the opportunity to achieve the integration of other spatial plans with environmental objectives. (Q38) Some spatial plans may not contain up to date environmental information, may not consider environmental information or issues, or may not contain environmental objectives. Integration of other spatial plans into LNRSs would therefore involve the review of other spatial plans in terms of the quality of their environmental information and environmental objectives. Integration offers the opportunity to create joined up spatial planning to achieve local, regional, national and international environmental objectives.

Local habitat map (Questions 41-44)

37. The consultation document states that "the mapping of "opportunities"" is the central purpose for which Local Nature Recovery Strategies have been created." (p30)
Consideration of and guidance must be given on what constitutes an 'opportunity' for local nature recovery in its local and broader environmental contexts.
38. The Environment Bill (cl 107(3)) provides that local habitat maps should identify 'national conservation sites', 'local nature reserves' and other areas the responsible authority considers 'are, or could become, of particular important for biodiversity' and 'are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits.' The consultation document states it is the Government's intention that 'other areas would include all local wildlife sites and candidate sites.' (p31)
39. Question 41 asks what sort of areas, outside of national conservation and local wildlife sites, might a responsible authority reasonably consider to be of important for biodiversity. In addition to those in the list, these should be priority habitats in declining, unfavourable or unfavourable recovering condition and other areas of importance for biodiversity that are not priority habitats, such as certain species-rich or locally distinctive habitats, scrub, brownfield sites, parks, road verges and transitional habitats.
40. The consultation document suggests that mapping should be based on 'strong participation of local partners' as well as generated by computer-based models. Localised mapping is essential and consistency in methods will facilitate consistency in LNRSs across England. (Q42)
41. The meaning of options for Q43, on whether responsible authorities should identify a similar proportion of their strategy area as areas of potential importance for nature recovery, was not clear. In order to meet environmental targets nationally and internationally it is essential that proportions of strategy areas that could become of particular importance for biodiversity or wider environmental outcomes should be identified both locally and coordinated nationally.

Consultation questions

Q1. Would you like your response to be confidential? (If you answered Yes to this question please give your reason)

No.

Q2. What is your name?

UKELA (UK Environmental Law Association)

Q3. What is your email address?

info@ukela.org

Q4. What is your organisation?

A charity

Q5. Which of the groups listed below do you consider essential for the preparation of Local Nature Recovery Strategies?

- **Local authority(s) other than the “responsible authority”, where the Strategy covers more than one Local Authority area**
- **Local authorities adjacent to the Strategy areas.**
- **Local Nature Partnership(s), where active and geographically aligned**
- **Natural England**
- **The Environment Agency**
- **The Forestry Commission**
- **Other public bodies e.g. Highways England**
- **Environmental non-governmental organisations active in the Strategy area**
- **National Park Authority(s), where present in the Strategy area and if not the “responsible authority”**
- **Area of Outstanding National Beauty organisation(s), where present in the Strategy area**
- **Local Records Centre(s), where separate from any of the other groups listed**
- **Local farming, forestry and landowning groups**
- **Local Enterprise Partnerships**
- **Utilities providers, such as water companies**
- **Other local business representative bodies**
- **Individual landowners and land managers (including farmers, both landowners and tenants)**

- **Individual businesses**
- **Members of the public**
- **Don't Know**

All of the groups listed in Q5 - except 'Don't Know'.

Q6. Are there any organisations not listed above whose involvement you consider essential? [Yes/No/Don't Know] If yes, which ones and why? [Free text box]

Yes: Land agents, other significant land holders e.g. National Trust, Local Authority landowning divisions, religious organisations.

Q7. Do you think that additional support should be provided to farmers, landowners and managers the land management sector to facilitate their involvement with the preparation of Local Nature Recovery Strategies? [Yes/No/Don't Know]

Yes.

Q8. If information on other types of local wildlife sites within a Local Nature Recovery Strategy area is not held by the responsible authority, do you think that if another Local Authority owns the information they should be obliged to provide it to them? [Yes/No/Don't Know]

Yes.

Q9. Are you aware of specific locally-held information that would make an important contribution to the preparation of Local Nature Recovery Strategies that you do not believe would be made available without a requirement to do so? [Yes/No/Don't Know] If yes, what information should be included?

Yes. EIA reports, locally operating NGOs often have intellectual property value in the biodiversity records they hold.

Q10. How do you think neighbouring Local Nature Recovery Strategy responsible authorities should be required to work together?

- **Required to inform neighbouring responsible authorities of their progress in preparing their Strategy**
- **Required to give information to neighbouring responsible authorities that would help them prepare their Strategy**
- **Required to collaborate when setting objectives for areas close to boundaries** ✓
- **Left to local discretion**
- **Other [If other, please specify]**
- **Don't know [Tick one]?**

The duty to collaborate should be broadly defined to cover any cross-boundary impacts and not necessarily limited to areas close to boundaries. An ecologically coherent approach should take account of broader scale environmental factors affecting the local biodiversity wherever they arise.

Q11. Should draft Local Nature Recovery Strategies be subject to a local public consultation prior to publication? [Yes/No/Don't Know]

Yes.

Q12. Should individual landowners or managers be able to decide that land they own or manage should not be identified by a Local Nature Recovery Strategy as an area that could become of particular importance for biodiversity? [Yes/No/Don't Know]

No.

Q13. Should anyone interested in the Strategy be able to propose additional areas that could become of particular importance if these can be shown to be making a sufficient contribution to the overall objective of the Strategy? [Yes/No/Don't Know]

Yes.

Q14. How prescriptive do you think regulations made under clause 101 should be in setting out how the responsible authority should work with local partners?

- **Setting broad principles only**
- **Setting broad principles and specific requirements on who to engage or how** ✓
- **A standardised process of who to engage and how**
- **Don't know [Tick one]**

Q15. Do you think that regulations made under clause 101 should establish a mechanism for resolving disputes in the preparation of Local Nature Recovery Strategies? [Yes/No/Don't Know]

Yes

Q16. If you believe that regulations made under clause 101 should establish a mechanism for resolving disputes in the preparation of Local Nature Recovery Strategies, which of the following bodies do you think should be able to raise a dispute (including on behalf of others)?

- **Local Authorities within the Strategy area who are not the responsible authority** ✓
- **Natural England** ✓
- **Responsible Authorities for neighbouring Strategy areas** ✓
- **Other [please specify]:** NGOs, members of the public with legitimate local interest ✓
- **Don't know**

Q17. Which of the following do you think might be reasonable grounds for raising a dispute about the Local Nature Recovery Strategy preparation process?

- **Not adequately involving relevant specific groups** ✓
- **Slow/no progress** ✓
- **Lack of transparency** ✓
- **Legal requirements not being followed** ✓
- **Other [please specify]**
- **Don't Know [Tick all that apply]**

Q18. At which points in the preparation of a Local Nature Recovery Strategy do you think it should be possible to escalate procedural disputes for external consideration?

- **Before finalisation of the Strategy priorities** ✓
- **Before a potential public consultation on the draft Strategy** ✓
- **If the responsible authority does not respond within a reasonable timeframe to being informed of concerns**
- **At any time**
- **There should not be a process for external consideration**

- **Other [please specify]:** ✓

Regulations should set a timeline for preparation of LNRS, followed by a consultation phase that should set out appropriate times for challenge.

- **Don't Know**

Q19. Do you think that Local Nature Recovery Strategies should also be “signed off” by a body other than the responsible authority before they can be published?

- **No**
- **Yes – instead of a mechanism for resolving disputes in the preparation process**
- **Yes – as well as a mechanism for resolving disputes in the preparation process** ✓
- **Don't Know [Tick one]**

Q20. If so, which bodies should be given sign-off responsibility?

- **Other Local Authorities in the Strategy area** ✓
- **Natural England** ✓
- **Other [please specify]**
- **Don't Know [Tick all that apply]**

Q21. On what grounds could a body refuse to sign-off a Local Nature Recovery Strategy?

- **Disagreement about overall priorities**
- **Disagreement about specific priorities**
- **Disagreement about potential measures**
- **Disagreement about the inclusion or exclusion of specific “areas of potential importance”**
- **On any reasonable grounds** ✓
- **Only the “responsible authority” should be required to sign-off the Strategy**
- **Other [please specify]**
- **Don't know [Tick all that apply]**

Q22. Should the Defra Secretary of State be able to appoint a separate body to consider disputes in the preparation of Local Nature Recovery Strategies, and if so, which body or bodies?

- It should not be possible for a separate body to be appointed
- Natural England
- Planning inspectorate √
- Whichever body the Secretary of State considers appropriate
- The responsible authority for a different Local Nature Recovery Strategy
- Other [please specify]
- Don't know [Tick all that apply]

Q23. In resolving disputes in the preparation of Local Nature Recovery Strategies should the Secretary of State be able to:

- Require the responsible authority to repeat particular parts of the preparation process √
- Require the responsible authority to make specific changes to their Local Nature Recovery Strategy √
- Approve the Local Nature Recovery Strategy with or without changes √
- Other [please specify]
- Don't know

Q24. Do you think that each local habitat map should adopt the same data standards and be published in the same format to facilitate national collation? [Yes/No/Don't Know] Yes

Q25. If yes, how should this level of consistency be established?

- Advice from Natural England √
- Creation of standard templates √
- Specified in regulations made under clause 101 √
- By consensus amongst responsible authorities
- Other [please specify]
- Don't Know [Tick all that apply]

Q26. Do you think that each statement of biodiversity priorities should also be published in a similar format?

- The format should be the same
- There should be some specific requirements but the responsible authority should keep some discretion over presentation ✓
- The responsible authority should be able to decide how they present their Strategy so long as it meets legal requirements
- Don't know [Tick one]

Q27. Do you think that all Local Nature Recovery Strategies should be published together on a single national website as well as being published locally by the responsible authority? [Yes/No/Don't Know] Yes

Q28. Do you think that a published Local Nature Recovery Strategy should:

- Only be changed once the Secretary of State has been notified
- Only be changed with the Secretary of State's permission
- Not be changed unless it's part of a scheduled review process (see below) ✓
- Don't Know [Tick one]

Q29. Do you think that all Local Nature Recovery Strategies across England should be reviewed and republished at similar times or should there be local discretion to decide when is the best time?

- Set nationally ✓
- Decided locally
- Don't know [Tick one]

Q30. If you do think all Local Nature Recovery Strategies should be reviewed and republished at the same time, do you think that this should happen to a fixed cycle?

- There should be a regular fixed period between reviews
- A maximum period of time between reviews should be set ✓
- A minimum period of time between reviews should be set
- A maximum and a minimum period of time between reviews should be set

- The Defra Secretary of State should be able to decide
- Don't know [Tick one]

Q31. Do you think that all responsible authorities should take a consistent approach to describing the biodiversity in their Strategy area? [Yes/No/Don't Know] Yes

Q32. If yes, do you have a preference as to how sub-areas based on similarities in biodiversity should be identified?

- No preference
- Responsible authorities should be able to decide
- National Character Areas √
- River catchments √
- Other [please specify] Habitat types √
- Don't know [Tick all that apply]

Q33. To ensure that the statement of biodiversity priorities provides an accurate and useful description of the Strategy area that can inform the setting of realistic and appropriate priorities, what else should the description consider in addition to describing existing biodiversity?

- Climate change scenarios √
- How land use/ habitat distribution has changed over time √
- Anticipated future pressures on land use (e.g. broad indications of housing and infrastructure need) √
- Environmental issues in the Strategy area that might be addressed through nature-based solutions √
- Existing significant nature or environment projects (e.g. landscape scale work)
- Other [please specify] √
Protected and non-protected areas - priority habitats and species - linkage with biodiversity/environmental obligations and targets
- Don't know [Tick all that apply]

Q34. How should the statement of biodiversity priorities describe opportunities for recovering or enhancing biodiversity without mapping them?

- Identify particular rarer habitats/species that the strategy area is suitable for supporting √
- Assess the potential to contribute to national priorities for nature recovery √
- Describe the relative opportunity for creating more areas of key habitats as well as making them bigger, better and joined up √
- Indicate broad areas where creating improving habitat may be more achievable √
- Assess the potential for use of nature-based solutions √
- However the responsible authority finds most useful
- Other [please specify] √
 Protected and non-protected areas - priority habitats and species - linkage with biodiversity/environmental obligations and targets
- Don't know [Tick all that apply]

Q35. Do you think that all Local Nature Recovery Strategies should follow the same priority setting process or that each responsible authority should decide for themselves how priorities should be set?

- All Strategies should follow the same priority setting process √
- Strategies should follow the same high-level principles but with local discretion
- Strategies should decide for themselves how to prioritise
- Don't know [Tick one]

Q36. How should national environmental priorities be reflected when setting Local Nature Recovery Strategy priorities?

- National priorities should be advisory
- Responsible authorities should show how they have considered national priorities
- Local priorities should follow a consistent nationally-set structure √
- Other [please specify]
- Don't know [Tick one]

Q37. Should Local Nature Recovery Strategies identify only those outcomes for nature recovery and environmental improvement that are of priority or also include those that are positive but of lower priority?

- List only priorities
- List priorities and other relevant lower priority outcomes √

- Don't know [Tick one]

Q38. How should priorities identified in other environmental spatial plans in the Strategy area be incorporated into the Local Nature Recovery Strategy?

- Considered and prioritised alongside other outcomes ✓
- Incorporated directly
- Don't know [Tick one]

Q39. Do you think that the Local Nature Recovery Strategy should include potential measures for conserving and enhancing biodiversity and making wider environmental improvements that cannot be mapped as well as those that can?

- Yes both ✓
- No, only those that can be mapped
- Don't know [Tick one]

Q40. Should there be a standard list of potential measures for responsible authorities to choose from?

- No – responsible authorities should have free choice
- There should be a list of suggestions
- There should be a core list which the responsible authority can add to ✓
- Responsible authorities should only be able to choose measures included on a national list
- Don't know [Tick one]

Q41. What sort of areas, outside of national conservation and local wildlife sites, might a responsible authority reasonably consider to be of particular importance for biodiversity?

- Ancient woodlands ✓
- Flower rich meadows ✓
- Priority habitats in good condition ✓
- Areas used for feeding or resting by animals or birds from a nearby national conservation site ✓

- ie functionally linked land

• **Any areas the responsible authority chooses**

• **None**

• **Other [please specify]**

√

We don't understand the listing in this question, but it is important to include all species rich or distinctive habitats and all priority habitats: degraded, recovering, good or otherwise, and additionally scrub, urban parks and road verges.

• **Don't Know** [Tick all that apply]

Q42. Should all responsible authorities follow a standardised process for mapping potential measures to identify areas that could become of particular importance for biodiversity or other environmental benefits? [Yes/No/Don't Know]

Yes

Q43. Do you think that all responsible authorities should seek to identify a similar proportion of their Strategy area as areas that could become of particular importance for biodiversity or wider environmental outcomes?

• **Yes, there should be a set percentage each responsible authority should identify**

• **No, this should not be set and decided locally**

• **Don't know [Tick one]**

The wording of this question is confusing - this should be decided locally but there must be nationally coordination in order to contribute to the delivery of the national Nature Recovery Network.

Q44. Do you think that when Strategies are reviewed and republished, they should map where appropriate action has been taken to make areas of increasing importance for biodiversity? [Yes/No/Don't Know]

Yes

Q45. Overall, how satisfied are you with our online consultation tool?

Please give us any comments you have on the tool, including suggestions on how we could improve it.

• **Very satisfied**

• **Satisfied**

• **Neither satisfied nor dissatisfied**

• Dis-satisfied

√

• Very dissatisfied

Don't know [Tick one]

UKELA

1 November 2021

Contact:

Philippa Goodwin, Eunice Pinn
Nature Conservation Working Party Convenors

info@ukela.org

paul@ukela.org

UK Environmental Law Association: better law for the environment
Registered charity 299498, company limited by guarantee in England 2133283.
Regd office: c/o Norose Company Sec. Services Ltd: 3 More London Riverside, London SE1 2AQ, UK
www.ukela.org
President: Rt Hon Lord Carnwath CVO of Notting Hill