



CEEAC/CEAC Environment Act Briefing



Vale of White Horse
District Council

South Oxfordshire
District Council

Listening Learning Leading

Environment Act 2021



Environment Act 2021

- The Environment Act received royal assent in November 2021
- The Act sets statutory targets for the recovery of the natural world in four priority areas: air quality, biodiversity, water and waste.
- This presentation will highlight the main implications for Local Authorities for Waste and Resource Efficiency, Air Quality and Biodiversity.



Health Warning



Environment Act 2021

- Many sections of the Act are dependant upon further consultations, secondary legislation and guidance which is yet to be issued.
- As a result the implications of the Act for the Councils are still far from clear in some areas.
- This presentation is intended as a starting point for discussion and will become a standing item on the agenda for future meetings.



Waste and Resource Efficiency



Environment Act 2021

- Enable producer responsibility obligations to be applied at all levels of the waste hierarchy. It will ensure that those producing packaging pay the full costs for recycling and/or disposing of it. Aimed at reducing the level of waste generated at source.
- Allow deposit return schemes to be established, whereby a deposit is included in the price of an in-scope item (such as a drink in a bottle or can) which is redeemed when the item is returned to a designated point.
- Require local authorities in England to collect the same range of materials for recycling from households and separate recycling waste streams.



Listening Learning Leading

Waste and Resource Efficiency



Environment Act 2021

- The Act will have implications for the way the Councils organise waste collection
- The Housing and Environment Service will be leading on the Councils response to this section of the Act
- The full implications are still far from clear and much will be subject to the publication of further regulations and guidance
- More detailed briefings and engagement will be made available to CEEAC/CEAC as this workstream progresses.



Air Quality



Environment Act 2021

- Require HM Government to set and meet an air quality target for fine particulate matter in ambient air (PM_{2.5}) – this is in addition to the long-term target for air pollution.
- Amend Part 4 of the Environment Act 1995 (which creates the Local Air Quality Management Framework) to strengthen the requirements in respect of the National Air Quality Strategy, including a requirement for it to be regularly reviewed (at least every five years).
- Amend the Local Air Quality Management Framework to clarify duties and enable greater cooperation between different levels of local government, and other relevant public bodies, in the preparation of Local Air Quality Action Plans.



Listening Learning Leading

Air Quality



Environment Act 2021

- Amend Part 3 of the Clean Air Act 1993 to enable quicker, simpler and more proportionate enforcement of Smoke Control Areas, a key means by which local authorities can control pollution from domestic solid fuel burning.



Nature and Biodiversity



Environment Act 2021

- The Act introduces a **General Biodiversity Objective** requiring public bodies to conserve and enhance biodiversity in the exercise of their functions.
- Under this new requirement, public bodies will be expected to look strategically at their policies and operations from time to time (at least every 5 years) and assess what action they can take ‘to further’ the conservation and enhancement of biodiversity



Listening Learning Leading

Nature and Biodiversity



Environment Act 2021

- Mandate 10% **Biodiversity Net Gain** (BNG) through the planning system.
- There are likely to be exceptions to this which would include Householder applications and urgent crown development.

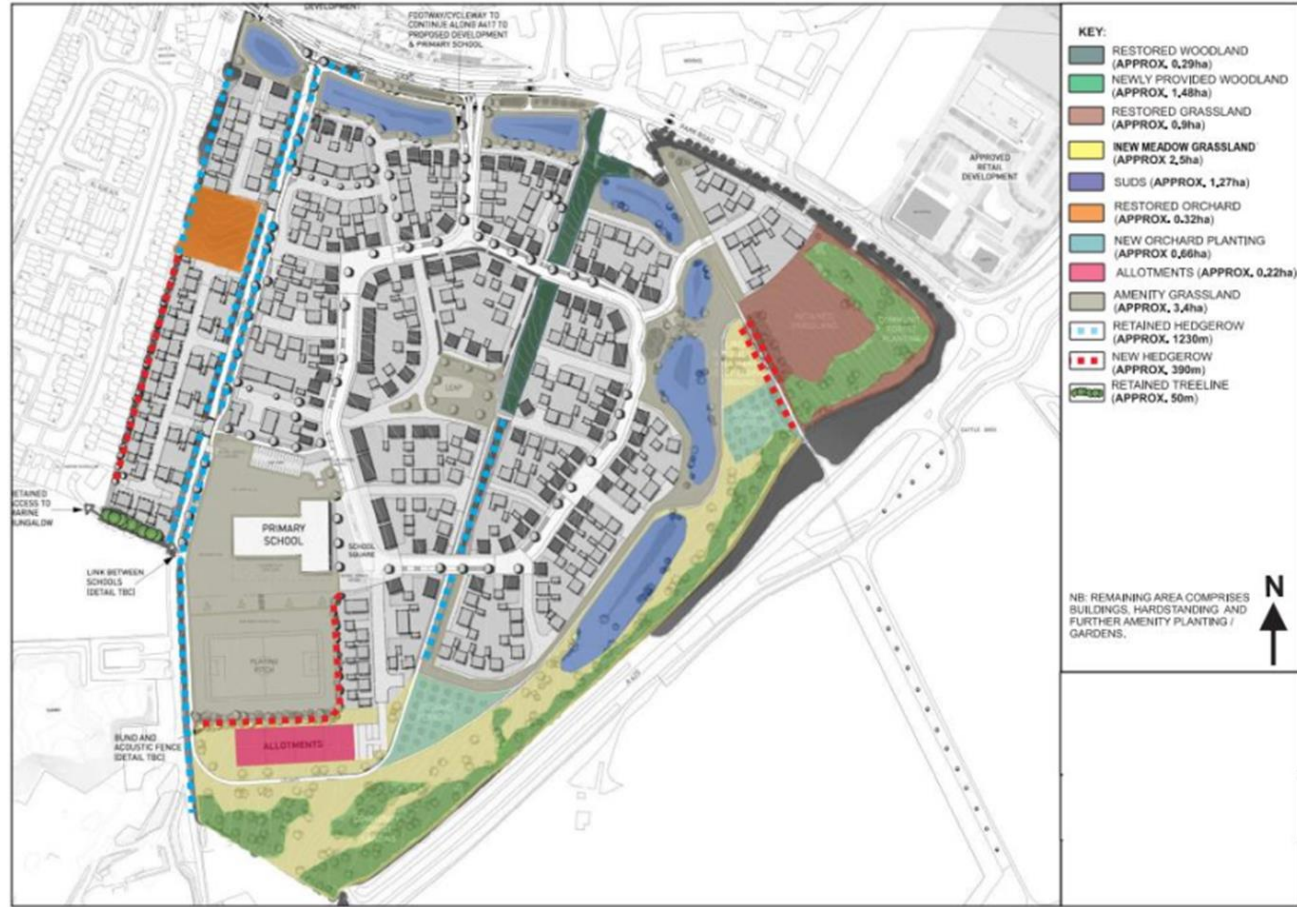


Measuring biodiversity net gains

Defra's Biodiversity Metric

A-1 Site Habitat Baseline												
Condense / Show Columns				Condense / Show Rows								
Main Menu				Instructions								
Ref	Habitats and areas			Distinctiveness		Condition		Strategic significance			Suggested action to address habitat losses	Ecological baseline
	Broad habitat	Habitat type	Area (hectares)	Distinctiveness	Score	Condition	Score	Strategic significance	Strategic significance	Strategic Significance multiplier		Total habitat units
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
26												







Nature and Biodiversity



Environment Act 2021

- With BNG a “Biodiversity Gain Plan” (BGP) will be a condition of Planning Permission
- All off site biodiversity gains would have to be recorded on a Biodiversity Gains site register.
- The LPA should only accept biodiversity gain plans when it is secured by a condition, obligation or conservation covenant.
- All on site and off site biodiversity gains should be maintained for a minimum term of 30 years



Nature and Biodiversity



Environment Act 2021

- Require the preparation and publication of **Local Nature Recovery Strategies**, a tool to direct action for nature, placing an emphasis on the local leadership of nature's recovery.
- The Responsible Authority will be appointed by the Secretary of State.
- Strategy should include biodiversity priorities for the strategy area along with a local habitat map, a description of the biodiversity of the area and opportunities for recovering/enhancing biodiversity.



Nature and Biodiversity



Environment Act 2021

- Local Authorities must publish a **Biodiversity Report** at least every 3/5 years
- The report should contain actions taken in the period covered by the report to comply with the General Biodiversity Objective, plans to comply with duties over the next 5 years and quantitative data on the implementation of net gain during the report period.



Listening Learning Leading

Nature and Biodiversity



Environment Act 2021

Local Authorities can opt to become responsible bodies for the provision of **Conservation Covenants**:

Conservation covenants are voluntary, legally binding private agreements between landowners and responsible bodies, which conserve the natural or heritage features of the land, enabling long-term conservation.



Listening Learning Leading



•Questions?