



ADUR & WORTHING  
COUNCILS

Joint Strategic Committee  
17 July 2024

Key Decision [Yes/No]

Ward(s) Affected: All

## **Delegated Authority for Local Nature Recovery Strategy**

### **Report by the Director for Sustainability and Resources**

#### **Officer Contact Details**

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#### **Executive Summary**

##### **1. Purpose**

**1.1.** This report seeks delegated authority for the Director for Sustainability and Resources, in consultation with the Adur Cabinet Member for the Environment and Leisure and the Worthing Cabinet Member for Environmental Services, to agree key stages in the preparation of the West Sussex Local Nature Recovery Strategy (LNRS).

**1.2.** Local Nature Recovery Strategies were introduced through the 2021 Environment Act. Responsible Authorities charged with a legal duty for producing the LNRS have now been confirmed by the government. These are West Sussex County Council for the area of West Sussex and East Sussex County Council for the area covering East Sussex and Brighton & Hove. Adur District Council and Worthing Borough Council are Supporting Authorities under the LNRS regulations and will contribute to the preparation of the West Sussex LNRS.

## **2. Recommendations**

- 2.1.** That Committee delegates authority to the Director for Sustainability and Resources, in consultation with the Adur Cabinet Member for the Environment and Leisure and the Worthing Cabinet Member for Environmental Services, to sign off key stages in the preparation and publication of the West Sussex LNRS.
- 2.2.** That Committee delegates authority to the Director for Sustainability and Resources, in consultation with the Adur Cabinet Member for the Environment and Leisure and the Worthing Cabinet Member for Environmental Services, to submit formal representations as neighbouring authorities to the East Sussex and Brighton & Hove LNRS.
- 2.3.** That Committee notes the work underway to develop a more detailed Adur & Worthing Nature Plan, building on the LNRS in support of delivery of both Administrations' priorities, which will be presented to Committee in October.

## **3. Context**

- 3.1.** The legal duty to prepare Local Nature Recovery Strategies (LNRS) was introduced through the Environment Act 2021. The broad role of an LNRS is to set an overall strategic and spatial strategy for how and where measures to achieve nature recovery will be achieved. Once in place, the LNRS will be an important tool to encourage more coordinated and focused action and investment in nature. They are to be prepared at the county or combined authority level. There will be 48 LNRSs covering all of England.
- 3.2.** In April 2023, the government published regulations which set out the legislative procedure for preparing a LNRS. In July 2023 Defra confirmed West Sussex County Council as the Responsible Authority for preparing a LNRS to cover the county of West Sussex.
- 3.3.** Under the LNRS regulations, all local planning authorities falling within the area to be covered by a LNRS are deemed 'supporting authorities'. A supporting authority has the power to formally object to the draft

LNRS at the pre-consultation stage and before final publication; it is not formally required to agree it. In practice, because the LNRS will include data, mapping and measures for improving nature recovery within the administrative areas of Adur and Worthing, it is considered appropriate that the LNRS is agreed by the councils through delegated authority.

- 3.4. Defra expects each Responsible Authority to have prepared an LNRS by March 2025. Production will involve a number of key stages, including consultation on a draft LNRS (currently anticipated to happen in January 2025). Because the timescales for preparing, consulting on and finally publishing the LNRS are not within this council's control and due to the relatively short timescales for preparing the LNRS, it is unlikely that key stages will coincide with this Committee's scheduled meeting dates. For this reason, delegated authority is sought for sign off at key stages including the draft for public consultation and the final publication.
- 3.5. The county-wide LNRS will target actions in locations where they are most needed and where they provide the best environmental outcomes. Most of the priority habitat areas fall outside of the Adur and Worthing boundaries.
- 3.6. To enable the delivery of both Administration's key priority to tackle the biodiversity crisis, a new **Adur & Worthing Nature Plan** is in development to help bring nature recovery into the towns where people live and work, aligned to but going further than the LNRS.
- 3.7. The Plan will help connect local people with priority habitats and enhanced local green spaces on their doorstep. The Nature Plan will highlight our green/blue infrastructure across Adur and Worthing, providing a more detailed and localised approach for nature recovery opportunities compared to the county-wide LNRS. The plan will sit beneath the LNRS and inform other council plans and strategies being developed, including the Parks & Open Spaces Management Plan, the Worthing Greening Guide and new Planning Guidance on Green Infrastructure.
- 3.8. The Plan will also support delivery of the Sussex Bay seascape recovery strategy, work on which will commence in September 2024.
- 3.9. The Adur & Worthing Nature Plan will set out the ambition and opportunities for nature recovery across the whole area, showing how

we will embed “nature positive” principles across policy, projects and practices within the council and how we will engage with local stakeholders and community to work towards nature recovery and climate resilience together. Further information and the draft report will be coming forward in the October JSC before a public engagement activity gets underway in the late Autumn.

#### **4. Issues for consideration**

- 4.1. Supporting the preparation of an LNRS is a new requirement and is not covered by the existing scheme of delegations. An alternative to delegated authority would be to hold an ‘urgency committee’ as and when required for any specific actions in relation to each stage of the preparation of the LNRS.
- 4.2. Each council has published a ‘first consideration’ of actions it will take to meet the strengthened biodiversity duty required by the Environment Act 2021. This includes supporting the responsible authority in preparing the LNRS.

#### **5. Engagement and Communication**

- 5.1. Stakeholder engagement and public engagement will be a key part of the preparation of the West Sussex LNRS. A detailed and comprehensive stakeholder mapping exercise has already been undertaken to identify stakeholder interests and to consider how they would like to be engaged. An engagement plan is being developed by West Sussex County Council and will be shared with all supporting authorities. West Sussex County Council will consult on the draft LNRS in Autumn 2024.

#### **6. Financial Implications**

- 6.1. There are no direct financial implications arising from the recommendations of this report. The cost of officer time associated with the recommendations in this report are contained within existing service budgets. Partnership working across local authorities already takes place through the Sussex-wide Local Nature Partnership Local Authority Network and it is not envisaged that undue officer time would be required.

## **7. Legal Implications**

- 7.1. The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023 (SI 2023/341), sets out the legislative procedure for preparing a LNRS. This is a mandatory requirement for the Responsible Authority.
- 7.2. Adur District Council and Worthing Borough Council are Supporting Authorities for the purposes of the 2023 Regulations. The councils have two chances to convey any concerns about the draft strategy to the Responsible Authority; one pre-consultation and one post-consultation, both before final publication of the LNRS. In the event that either council objects to the LNRS, this will be referred to the Secretary of State.
- 7.3. By contributing to the LNRS for West Sussex, the councils will seek to ensure that their views and representations are taken into account in the final LNRS.

## **Background Papers**

- Adur's biodiversity duty - first consideration
- Worthing's biodiversity duty - first consideration

## **Sustainability & Risk Assessment**

### **1. Economic**

- Matter considered and no issues identified

### **2. Social**

#### **2.1 Social Value**

- It is acknowledged that nature benefits health and well being for all sectors of the population.

#### **2.2 Equality Issues**

- It is acknowledged that nature benefits health and well being for all sectors of the population. Consultation on the draft LNRS will include seeking views from groups with protected characteristics.

#### **2.3 Community Safety Issues (Section 17)**

- Matter considered and no issues identified

#### **2.4 Human Rights Issues**

- Does the proposal impinge on anyone's human rights and if so how is it justified under the Human Rights Act? Human rights include: Right to a fair trial, respect for family life, private life, home and correspondence, freedom of thought, expression, assembly and association and protection and quiet enjoyment of property and possessions. Also ask, is the action proportionate to the anticipated response or outcome?

### **3. Environmental**

- Preparation of the LNRS will complement and reflect the councils' programme of projects and council plan objectives to improve the area's biodiversity and address the biodiversity crisis. The LNRS will provide useful evidence and context for future funding opportunities for nature recovery. The LNRS will need to be referenced in local plans / local plan reviews and will be useful in indicating where any offsite biodiversity net gains could be prioritised and any additional sites for local nature recovery. This will ensure plans promote the need for nature recovery and sustainable development.

### **4. Governance**

- The LNRS will need to be referenced in local plans / local plan reviews and will be useful in indicating where any offsite biodiversity net gains could be prioritised and any additional sites for local nature recovery. This will ensure plans promote the need for nature recovery and sustainable development.