



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Officer Delegated Decision

26 June 2024

Richard Wyles, Deputy Chief Executive  
& Section 151 Officer



## Biodiversity Net Gain Grant

Acceptance of the Biodiversity Net Gain Grant 2024/25 (Grant No. 31/7104)

### Contact

Emma Whittaker, Assistant Director of Planning & Growth

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<b>Decision made by:</b>	Richard Wyles
<b>Decision:</b>	1) To formally accept the allocation of £26,807 Biodiversity Net Gain Grant Funding from DEFRA To approve the setting up of a budget to enable the Biodiversity Net Gain Grant to be allocated and spent.
<b>Public or Exempt:</b>	public
<b>Reasons for exemption:</b>	N/A
<b>Conflicts of interest:</b>	No
<b>Policy compliant:</b>	Yes
<b>Details of delegation:</b>	Directors are authorised by virtue of the Council's Financial Regulations to accept any external funding and make the associated budget virements in line with the authorised limits set out in the regulations.

## **1. Implications**

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance***

- 1.1 The Council has been awarded a grant of £26,807 to be spent on the preparation and assessment of BNG in 2024/2025. The General Fund Revenue budget will be amended to reflect this grant award.

Completed by: Paul Sutton, Interim Head of Finance/Deputy 151 Officer

### ***Legal and Governance***

- 1.2 The terms of the grant funding have been reviewed and are satisfactory. The spending of the grant money will be monitored accordingly by the finance team and Assistant Director of Planning to ensure compliance.

Completed by: Mandy Braithwaite, Legal Executive

## **2. The Purpose of the Report**

- 2.1 The Department for Environment Food and Rural Affairs (DEFRA) has made funding available to Local Authorities to be spent on expenditure incurred, or to be incurred by them in delivering biodiversity net gain (BNG). A grant of £26,807 has been awarded to South Kesteven District Council (SKDC).
- 2.2 The Environment Act 2021 includes provisions that make the achievement of 10% BNG mandatory for most developments under the Town and Country Planning Act 1990 (as amended). BNG is an approach to development that leaves biodiversity in a measurably better state than before the development took place.
- 2.3 The Council is developing policies in the emerging Local Plan regarding BNG however the requirement to provide BNG is mandatory regardless of any strategies or policies that the Council has separately developed. Developers will be required to provide a minimum of 10% BNG calculated using a Biodiversity Metric and through the approval of a biodiversity gain plan. BNG will need to be secured through the planning application process for at least 30 years.
- 2.4 In order to support Council's in preparing for this significant change, DEFA has made funding available to Councils. The funding allocated to SKDC this financial year (£26,807) is required to be spent in the financial year and is to be used

*“towards expenditure lawfully incurred or to be incurred by them in delivering biodiversity net gain”*. Payments of the grant will be made in arrears and funding is ring-fenced.

- 2.5 SKDC must decide whether to accept the grant funding and register a decision to claim the funding with DEFRA by 28 June 2024.

### **3. Available Options Considered**

- 3.1 **Do nothing** – The Council could decide not to accept the grant funding, however it will still incur costs in preparing and dealing with BNG.

### **4. Preferred Option**

- 4.1 To accept the grant funding to support the Planning Service in its preparation and assessment of BNG in 2024/2025.

### **5. Reasons for the Decision(s)**

- 5.1 The Council will incur costs for the work involved regardless of whether it chooses to accept the grant funding or not.

### **6. Consultation**

- 6.1 The Portfolio Holder for Planning has been consulted and is supportive of the Council accepting the grant on offer.

### **7. Appendices**

- 1.1 S31 Grant Determination 31-7104 – Biodiversity Net Gain (decision letter)  
7.2 Section 31 Grant Acceptance (Draft)

Signed by: **Richard Wyles**

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Dated: 26 June 2024