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01 November 2021

Kate Rice
Chair, Sussex Nature Partnership
c/o Sussex Nature Partnership Secretariat
East Sussex County Council
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Dear Julian,

**Defra Consultation on “Local Nature Recovery Strategies: how to prepare and what to include”
Response prepared by Sussex Nature Partnership**

This document has been prepared by Sussex Nature Partnership in response to the Defra consultation: *Local Nature Recovery Strategies: how to prepare and what to include*. It represents the views of the partnership but has also been developed in collaboration with local authorities across its geography. It can therefore be considered a **joint response between Sussex Nature Partnership and the following:**

- East Sussex County Council
- West Sussex County Council
- Brighton & Hove City Council
- South Downs National Park
- Adur & Worthing Councils
- Arun District Council
- Chichester District Council
- Crawley Borough Council
- Hastings Borough Council
- Horsham District Council
- Lewes District Council
- Rother District Council
- Wealden District Council

Background

Sussex Nature Partnership operates across the Tier 1 local authority areas of West Sussex County Council, East Sussex County Council and Brighton and Hove City Council and covers a large area of the South Downs National Park and High Weald AONB. Supported through donations from its key partners, it brings together over 25 organisations from across the environmental, business, research and public sectors operating in Sussex¹. A core part of its work over the past year has been to engage all partners in the two mechanisms within the Environment Bill that will have most relevance locally: Local Nature Recovery Strategies and Biodiversity Net Gain. Earlier this year it also launched a new 'Local Authority Network' to facilitate knowledge sharing and discussion between the partnership and the 11 district and borough councils within its area. Again, a strong focus of this network in recent months has been the Environment Bill and what it will mean for local authorities of all tiers across Sussex.

Structure of this Response

Please see attached (**Appendix 1**) our response to the specific questions posed within the consultation document. These have also been submitted online. However, our conversations in Sussex have generated other comments which the consultation document did not provide an opportunity to include so we have added them to Appendix 1 to provide justification and additional information beyond the yes/no/don't know options included in the consultation document.

Similarly, comments were raised on several issues relating to LNRs which were not covered by the consultation but were felt to be critical to the preparation and implementation of LNRs. These are set out below.

All the comments have been developed through a process of discussion and consultation across Sussex Nature Partnership, its Local Authority Network and the South East Nature Partnership. We therefore hope it will be particularly useful as a measure of the issues being raised in the minds of those working at a local level in both the planning and delivery of nature's recovery.

Issues relating to Local Nature Recovery Strategies not covered by the consultation

- i) What does the final Local Nature Recovery Strategy 'look like' in terms of its level of detail, content and purpose?

It remains unclear what Local Nature Recovery Strategies will 'look like' in terms of the level of detail they will contain and how prescriptive they will be about what will be done, where and how. The key area of uncertainty is whether they will simply be a statement of ambition or aspiration (albeit agreed across a wide number of stakeholders) or whether they will go further and set out detail of where specific opportunities have been identified between landowners and other relevant local stakeholders. Our concern is that if they are intended to be the former, they will be very like the ecological network mapping and 'biodiversity opportunity mapping' that has been carried out in the past in the South-East which has been useful but has failed to become integrated into key decisions around land use and funding for nature. The latter will be more challenging to prepare but potentially would be a more useful type of document that would provide the basis for action, investment and project development.

¹ See Appendix 2 for members of Sussex Nature Partnership

Within the consultation document, there were many questions about **consistency versus flexibility** of LNRS approach and process. Flexibility will be preferable to accommodate local circumstances, but if not guided by a clear sense of what the final LNRS product should be and what it should set out to prescribe, the result may well be a wide range of types of LNRS in practice that will vary in their ability to actually drive greater delivery for nature on the ground. The level of prescription within them (and the weight they carry - see below) will also influence how they are perceived by stakeholders which in turn will influence what is 'at stake' (and therefore the potential for conflict) during the process. For example, if LNRSs simply set out aspirational opportunity mapping, their influence will be perceived to be limited and thus the likelihood of conflict during their preparation will be less than if they are attempting to set out more detailed, 'negotiated' ideas where partners have come together to develop details and drive action forward.

More guidance on the end product required, with examples, will be vital for all stakeholders involved in the production of any LNRS.

ii) Capacity and Resources required for LNRS Preparation, monitoring and delivery

A key issue of concern to Sussex Nature Partnership, its partners and the districts and boroughs represented within its Local Authority Network, is the question of capacity and resources to support the preparation of these documents and their ongoing implementation and review. Key points raised during our discussions with partnership members and local authorities include:

- Tier 1 local authorities, who are likely to be assigned Responsible Authority status in Sussex, currently have limited ecological capacity on their staff compliment. This capacity, plus that for other vital functions for LNRS preparation, such as GIS and mapping, is committed to existing functions and cannot simply be re-deployed for the purposes of preparing LNRSs. Responsible Authorities will therefore need support from government in the form of funding for staff to fulfil this function, in addition to any funding required to acquire consultancy services that may be needed in areas such as data, mapping and stakeholder engagement.
- Rather than Responsible Authorities being given a 'one off' responsibility for preparation of LNRSs and their periodic review, they should be given sufficient funding to support **a permanent 'LNRS function' within the relevant Tier 1 local authorities**. This will allow the provision of permanent dedicated resource within Responsible Authorities across the whole cycle of LNRS preparation, monitoring, implementation and review - and avoid a situation where temporary staff and funding is put in place for preparation of a LNRS and are then re-deployed elsewhere until such times as a review is required when the process of finding and deploying resources will need to be repeated. The benefits of a dedicated permanent resource within Responsible Authorities to support the LNRS cycle would ensure that the documents remain relevant, that they have a permanent champion within local planning and decision-making and that stakeholder relationships are supported on an ongoing basis. Through the Flood and Water Management Act 2010, County Councils and Unitary Authorities were made Lead Local Flood Authorities, and now have dedicated resources permanently located within these organisations. The Environment Act will impose similar functions in relation to the preparation of strategies, but there is no provision for associated powers for maintenance or implementation of these strategies. Although it is not clear, we assume that the LNRS will form a key piece of evidence in the preparation and

implementation of Local Plans. Having the aforementioned permanent dedicated resource in place would support the timely production of Local Plans, ensuring that they are consistent with and aid in the delivery of the LNRS.

- Resources allocated to the new Responsible Authorities should, where possible, relate to existing capacity within the Tier 1 local authority. For example, across the country the ecological capacity within county councils varies a very great deal. This means that any 'flat rate' approach to funding the new LNRS function will achieve much less in those Tier 1s with limited existing capacity, than it will where there is an existing well-resourced ecological team to build upon. In areas where very little 'readiness' work has been done by other stakeholders (such as LNPs, Wildlife Trusts etc), Tier 1s will be working from a 'standing start' and this will be much more difficult if they have very little ecological expertise already in-house.
- Finally, the issue of indirect resources required to engage with any LNRS process is one that should be noted i.e. the resources and capacity within key local partners to enable them to participate in a LNRS process (e.g. district and borough councils, Local Nature Partnerships, NGOs and other local partnerships). The involvement of these organisations will be vital to support an LNRS process based on strong stakeholder engagement, yet many operate on very limited resources currently and so their ability to engage in what could be quite a time-consuming exercise, should not be taken for granted. Funding to support these indirect costs will be important. This point has been emphasised by district and borough councils across Sussex who are concerned that they will not have sufficient resources to play their part in the LNRS process. The specific role of LNPs, where these are present and functioning well, should also be specifically supported given the important function they play locally in bringing their members together and adding value to their work.

iii) How LNRSs will be used and their weight within the planning process

This point raised a great deal of discussion across Sussex Nature Partnership members and its Local Authority Network and was felt to be of fundamental importance to the success of LNRSs.

- The use of LNRSs in the planning system is unclear and there is a great deal of concern that the weight they have been given within the Environment Bill will be insufficient to deliver nature's recovery in the face of the very high numbers of homes that local authorities are being asked to deliver across the South East. As such, local planning authorities will not be able to balance the two objectives, particularly if the requirement to deliver housing continues to 'trump' environmental concerns in local land use planning decisions. Under existing housing targets, and with no additional weight given to LNRSs within the planning system, the risk in the South-East is that while LNRSs may lead to new habitat being created, critical areas of importance for wildlife will continue to be lost to development (to which Biodiversity Net Gain is unlikely to be a solution). A strong role for LNRSs with the existing planning system (and any future reforms) is therefore of critical importance if sustainable decisions are to be made in relation to housing. This is of particular importance in the pressurised South-East.
- It will be two years before LNRSs are likely to be in place. Many local plans will be completed by then with no specific reference made to LNRSs, Biodiversity Net Gain and how these relate to both selection of sites for housing and the targeting or development management actions. Sussex Nature Partnership is currently working with local planning authorities to raise the

importance of **'future -proofing'** emerging local plans in relation to the Environment Bill. A significant concern is that the wording of planning policies to enable this may not be appreciated by the Planning Inspectorate (PINS) during the examination process, particularly as the NPPF and associated Planning Practice Guidance (PPG) is not reflective of measures set out in the soon to be enacted Bill. As a matter of urgency, Defra and the Department for Levelling Up, Housing and Communities should provide guidance to PINS on this matter and relate any outcomes of such discussions to all local authorities currently in the process of reviewing their local plans. It is considered that an update to the Planning Practice Guidance could initially achieve this in a timely manner.

- There is insufficient guidance in place for local planning authorities about how LNRSs should guide the implementation of Biodiversity Net Gain (BNG) in practice. We understand that this is the intention, but we have seen little detail to expand on the broad intention. Local Planning Authorities have very little capacity at present to engage with BNG implementation and if this is to be applied in a strategic way that locates new habitats where they are needed most (rather than in an *ad hoc* way - based on where developers want to locate it or where they can find land), capacity building and resources for local planning authorities will be required. Specifically in relation to offsite net gain, detailed work will be needed to take any broad LNRS strategy and use it to identify the sites to receive BNG (where landowners are willing to participate). Resources will be needed to do this.
- Finally, it remains very unclear as to how LNRSs will be used to guide the targeting of payments to farmers and land managers under new environmental land management schemes. It is vital that this detail is clarified as soon as possible so that farmers and landowners understand how and why an LNRS will directly affect them and their ability to attract this type of funding.

Sussex Nature Partnership will be happy to discuss any of the points raised within this response if that would be helpful and appreciate the opportunity to engage with this consultation.

Yours sincerely,



Kate Rice,
Chair, Sussex Nature Partnership

cc. Adam Stewart, Operations and Transformation Lead, Defra
Sue Beale, Natural England, Kent and Sussex

Appendix 2: Response to Consultation Questions with additional comments added to provide detail

This has been submitted online (without the additional comments in blue).

Question	Response
1. What is your name? [Free text box]	Kate Cole
2. What is your email address? [Free text box]	Kate.cole@eastsussex.gov.uk
3. What is your organisation? [Free text box]	Sussex Nature Partnership (Secretariat provided by East Sussex County Council) and Sussex LA Network (including East Sussex County Council, West Sussex County Council, Brighton & Hove City Council, South Downs National Park Authority, Adur & Worthing Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Hastings Borough Council, Horsham District Council, Lewes District Council, Rother District Council and Wealden District Council)
4. Would you like your response to be confidential? [Yes/no]	No
5. Which of the groups listed below do you consider essential for the preparation of a LNRS? [Tick all that apply]	All listed
6. 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]	<p>Yes.</p> <p>Parish and Town Councils (or body representing PCs), neighbourhood planning groups, developers, local health & wellbeing organisations, local research institutions (e.g. universities), tourism & user groups, Biosphere Reserve, business sector. Other public bodies should include MMO and IFCA, Health & Wellbeing and Community NGOs as well as Environmental. All of the existing partnership structures should be included in the consultation as the basis for future delivery; in Sussex we are currently mapping all the partnerships in the area for this reason.</p> <p>The role of organisations such as the CLA and NFU will be vital for engaging their members in the process. These organisations will need additional support to provide this function.</p>

Question	Response
	Some eNGOs, especially smaller eNGOs providing specific <u>species</u> advice at a national level, will not be able to input into every local strategy and will need support to engage meaningfully at a local level.
7. Do you think that additional support should be provided to farmers, landowners and managers of the land management sector to facilitate their involvement with the preparation of LNRS? [Yes/No/Don't know]	Yes.
	<p><i>Additional information/rationale</i></p> <p>In our view, additional support will be vital to enable farmers, landowners and the land management sector to engage with the LNRS process - and also to assist those preparing these strategies to engage with this sector, which represents a very wide range of views, experiences and perceptions.</p> <p>Direct engagement with the farming and land management sector is not a current area of expertise within Tier 1 local authorities and so this knowledge and skill set will not be something easily deployed to an LNRS process from within the Responsible Authority. Those local organisations who do hold resources for landowner advice and engagement (e.g. Natural England, NFU, CLA, environmental NGOs) may not have the additional capacity that would be required to step into this role within an LNRS process. Some structures and resources do already exist locally which can help (for example, the Protected Landscapes in Sussex have some resources for engaging with farmers and landowners as do Catchment Partnerships. In some places Farm Clusters provide a focus for engagement across a group of farmers). But these do not exist everywhere and again are supported by existing resources which are already under pressure.</p> <p>We understand that where the pilot projects involved specifically appointed 'ELMS convenors' for this purpose, that this made a significant difference to engagement by farmers and landowners with the process. We would support this type of intervention across all LNRS processes.</p> <p>Given the critical importance of the involvement of this sector within the LNRS process, we therefore urge Defra to ensure that <u>dedicated additional resource</u> to facilitate this is included in any approach. But more significantly, the delivery of any LNRS will rest significantly on the level of commitment from farmers and landowners and on the relationship between the</p>

Question	Response
	deployment of ELMS payments and the LNRS. The better the engagement of farmers and landowners with any LNRS process from the start, the better the prospect for its delivery going forward.
8. If information on other types of local wildlife sites within a LNRS area is not held by the responsible authority, do you think that if another LA owns the information, they should be obliged to provide it to them? [Yes/No/Don't know]	No
	<p><i>Additional information/rationale</i></p> <p>In Sussex, we do not envisage this scenario occurring and so do not understand this question or the problem it is trying to solve. All local authorities across Sussex pay a subscription to the Sussex Biodiversity Record Centre which provides all relevant local habitat and species data to local authorities and they operate within an agreed reciprocal data sharing arrangement.</p> <p>The use of any local data in LNRS processes is much more likely to be problematic due to data licensing issues, ownership of data and the investment that is made by local recorders and Record Centres to fund surveys and collate data. Their business model relies on payment for local data services. It is not clear how this will be resolved within LNRS processes but it will be critical if the use of local data held by Record Centres is to be maximised.</p>
9. Are you aware of specific locally-held information that would make an important contribution to the preparation of LNRS that you do not believe would be made available without a requirement to do so? If yes, what information should be included? [Yes/No/Don't know] If yes, what information should be included? [Free text box]	<p>Yes.</p> <p>Species information, much of which is held by Local Record Centres and or local Species Groups. However, this information often includes sensitive data such as locations, personal information etc, and therefore cannot be made publicly available.</p> <p>Information on landholdings and condition (the latter where it is held by developers) would be helpful to know as it would help identify stakeholders to engage with to target action.</p>

Question	Response
10. How do you think neighbouring LNRS responsible authorities should be required to work together? [Tick one]	Other. All of the options listed should apply. However, there should be a pre-commencement agreement about how the process would work. It should not be left entirely to local discretion as there may be areas in the country where there is not the desire to act collaboratively across boundaries where there are not cordial relationships, or they want to work collaboratively but are following different processes which are difficult to align.
11. Should draft LNRS be subject to a local public consultation prior to publication? [Yes/No/Don't know]	Yes.
	<i>Additional information/rationale</i> This would increase the local democratic 'weight' of the strategies and strengthen the likelihood for them to be embedded in key local planning and decision-making processes.
12. Should individual landowners or managers be able to decide that land they own or manage should not be identified by a LNRS as an area that could become of particular importance for biodiversity? [Yes/No/Don't know]	No.
	<i>Additional information/rationale</i> This question is too complex to be answered as a yes/no/don't know. Any land of <u>existing</u> value for nature and biodiversity should be contained within a LNRS and mapped as part of the local habitat map. Any land that has the potential to be so should also be included, along with the measures that may be needed for this to happen. The LNRS can also point to the funding opportunities that may be available for landowners to take advantage of if they chose to. So inclusion of land in a LNRS should be related to its existing and potential contribution to nature's recovery. However, we can foresee a scenario that a piece of land could be recognised for its <u>potential</u> value for nature, which may also be useful for development or other land use purposes. A landowner may therefore see the LNRS as affecting its future use for other purposes and would want to see it removed from the LNRS. Our feeling is that if the evidence base behind the

Question	Response
	<p>LNRS is robust and points to an area of land being vital for the expansion or connection of important habitat for nature, such areas should remain flagged as important for nature’s recovery within the LNRS.</p> <p>However, the scenario within this question may be resolved with more clarity about the purpose and level of detail to be presented within an LNRS. Our understanding of the purpose of LNRSs as set out by Defra/NE is to identify priorities for nature’s recovery in a local area and to map opportunities for its delivery. If it is the intention that the LNRS should only include land (at time of writing) where the landowner is willing and/or a delivery project has already been developed and agreed between all relevant parties, then this should be clarified as this is different (we see this as a ‘strategic opportunity mapping approach’ versus a much more detailed and already ‘negotiated’ document that works only with land already ‘in play’ for conservation projects).</p> <p>The implications for individual landowners is very different in these two cases and so the final output that Defra seeks should be clarified and may help to answer this question.</p> <p>One issue raised in our consultation with Local Authority Network members on this response - was the possibility of pre-emptive degradation or even destruction of land to prevent its value to biodiversity being reflected in a LNRS. A question was posed as to what powers or mechanisms could be introduced to prevent this.</p>
<p>13. 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]</p>	<p>Yes.</p>
	<p><i>Additional information/ rationale</i></p> <p>Our understanding of the purpose of the stakeholder engagement is to create consensus around the priorities for nature’s recovery and to locate these spatially. Thus, by definition broad areas of land will be brought forward for inclusion in the opportunity map through this process. Provided an individual has been involved in the LNRS process and the areas proposed are worked through the stakeholder engagement process, this should be permitted. It may be different if individuals</p>

Question	Response
	propose areas for inclusion outside that process as these will not be worked through the engagement process and the views of others included in the final decision.
14. How prescriptive do you think regulations made under clause 101 should be in setting out how the responsible authority should work with local partners? [Tick one]	Setting broad principles and specific requirements on who to engage or how.
	<p><i>Additional information/ rationale</i></p> <p>We identified the second option as preferable. Defra should set requirements on the range of stakeholders to be included in LNRS processes to ensure that this is as broad as possible and goes beyond the ‘usual suspects’. If LNRSs are to create the game-changing approach to local delivery for nature that we think is intended, it will be imperative that they have broad support across society and engage a wide range of stakeholders. Consistency in this regard across the country is only likely to be achieved through being relatively prescriptive about the stakeholder groups that should be involved (as a minimum).</p>
15. Do you think that the 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.
16. 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)? [Tick all that apply]	<p>Other.</p> <p>Key stakeholders should be involved on a steering group which should be able to define a clear process at the beginning which should reduce the potential for disputes. Depending on the nature of the issue, any of those organisations should be able to raise a dispute, either on their own behalf or on behalf of another stakeholder. Other potential bodies would be any other public body.</p>

Question	Response
17. Which of the following do you think might be reasonable grounds for raising a dispute about the Local Nature Recovery Strategy preparation process? [Tick all that apply]	Other. If the process was defined at the beginning, should avoid dispute. Requirement for proper project planning. Much could be resolved through provision of sufficient resourcing and capacity and realistic timescales, recognising the complexity of the strategy area. Need commitment from key stakeholders at the start.
18. 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? [Tick all that apply]	Other. There should be early and regular consultation. Phased consultation could help resolve all potential conflict situations.
19. 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? [Tick one]	Our preferred answer in this case would be “Other”. However, as that is not given as an option, we have opted for “Yes – as well as a mechanism for resolving disputes in the preparation process”. If the LNRS is to be used by Local Planning Authorities to direct biodiversity net gain, then all Districts and Boroughs within the area should sign them off. If it is to be used to direct ELMS, Natural England should also sign them off.
20. If so, which bodies should be given sign-off responsibility? [Tick all that apply]	LAs in the Strategy area and Natural England.
21. On what grounds could a body refuse to sign-off a Local Nature Recovery Strategy? [Tick all that apply]	Any reasonable grounds. Other. Conflict resolution will come down to the skills and expertise of the project team which will require adequate resourcing. Need to encourage people to be ambitious in setting their strategies.
22. 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,	Other. It is vital that any dispute resolution is made in the context of an LNRS delivering its statutory purpose (to support nature’s recovery). Therefore, any body appointed should have the mandate to uphold that purpose, and have the powers to do so. The only logical separate body in that instance is therefore the Officer for Environmental Protection, or perhaps Natural England. We would have concerns if it was the Planning Inspectorate because their mandate is much wider and is not to

Question	Response
which body or bodies? [Tick all that apply]	specifically support nature’s recovery as a priority. Hence, decisions could be skewed by other priorities such as housing delivery.
23. In resolving disputes in the preparation of Local Nature Recovery Strategies should the Secretary of State be able to: [Tick all that apply]	Other. It depends on the nature of the dispute. There may be specific circumstances where changes to the strategy are required, e.g. where it is clearly insufficient to secure nature’s recovery, but the first step should be to repeat any problematic parts of the process to ensure achievement of consensus. Any change may require additional resources.
24. 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]	No.
25. If yes, how should this level of consistency be established? [Tick all that apply]	Other. This needs to recognise that every county will be starting from a different baseline with their data; some counties may require investment to bring all counties up to a similar baseline standard. Sufficient resources need to be invested in Local Record Centres, who have existing protocols in place to protect sensitive information, and good relationships with a network of local recorders. Data cannot be collated nationally because of privacy and/or resolution issues, and therefore national data has to be the lowest common denominator. Some consistency in how maps are presented, especially with the terminology used, would facilitate national and cross-border collaboration. In practice, maps are likely to be similar in format with GIS layers consisting of different themes identified by the LNRS, but the themes are likely to vary between LNRSs. This was the case with the pilots and it is important that Responsible Authorities can use the most appropriate geography for conservation needs within the local area; National Character Areas are only one option.
26. Do you think that each statement of biodiversity priorities should also be published in a similar format? [Tick one]	There should be some specific requirements but the responsible authority should keep some discretion over presentation.

Question	Response
27. 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.
28. Do you think that a published Local Nature Recovery Strategy should: [Tick one]	Not be changed unless it's part of a scheduled review process
	<p><i>Additional information/rationale</i></p> <p>It is our view that it will be imperative to somehow ensure that LNRSs can be kept 'live' and do not become out of date a short time after they have been published. For this reason, it may be necessary to allow the more detailed elements to change as opportunities arise (we have no view as to whether the Secretary of State should be informed on this part), but within a more fixed <u>overarching vision and set of agreed priorities</u> that are reviewed through a formal review process. Our view would be that these overarching strategic elements must only be changed through an inclusive process in consultation with all stakeholders.</p>
29. 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? [Tick one]	Decided locally.
	<p><i>Additional information/rationale</i></p> <p>As noted in the response to question 28 above, we would see national value in having a fixed review period for the vision/priorities and evidence base behind each LNRS so that there is some alignment across the country, and more locally across adjacent counties. However, a more flexible approach to reviewing the detail within the strategies e.g. measures/locations and funding opportunities would be beneficial as this will move more quickly. Local discretion on review of these elements may therefore prevent LNRSs becoming too static.</p>

Question	Response
	<p>The risk in setting a set timetable for review across the country is that this may be difficult to meet depending on local circumstances (e.g. complexity of process required, resources available within Responsible Authorities, stakeholders and so on). So there may be a need for some 'flex' in that timetable to accommodate this.</p> <p>In considering this question of review and how its frequency is determined, the issue of local <u>capacity required</u> to review a LNRS must be kept in mind (both in terms of the capacity within a Responsible Authorities to drive a process - and within other stakeholders to engage with it). Where this capacity will be found and how it will be funded will be key to whether a review process happens or not - and how rigorous it will be.</p> <p>A national requirement for review must therefore be met with adequate resources for Responsible Authorities to fulfil this task. Detailed comments on this point were set out in the main text above.</p>
<p>30. 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? [Tick one]</p>	<p>A maximum and a minimum period of time between reviews should be set.</p>
	<p><i>Additional information/rationale</i></p> <p>In addition to our comments on question 29 above, we believe that a regular fixed period - or a set window for review - would assist Responsible Authorities in the planning of capacity and resources required to drive a review process, and other stakeholders in planning for the capacity and resources required to engage with it. For this reason, a 'window' period for review (maximum and minimum time between reviews) may provide more flexibility - both in when a review is needed and in the planning for resources required.</p> <p>However, the guidelines and regulations for LNRS should also clarify what happens if resources are not available to carry out a review of an LNRS within the above window. What steps would be put in place to address this and how would the status of the existing LNRS be affected?</p> <p>A regular period for review will also help local planning authorities understand how this fits with review of local plans which, where possible, should be seeking to use an updated LNRS as part of their evidence base. All local plans in Sussex are at a different stage of preparation and review so it is not possible to have one review period for LNRSs that would align with all.</p>

Question	Response
	However, an understanding of when review is likely to be carried out and how that can fit with local planning processes, could be beneficial.
31. 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]	No.
	<p><i>Additional Information/rationale</i></p> <p>This response falls within a theme in this consultation around national consistency versus local flexibility. The answer is not as simple as a yes/no/don't know - and lies in a mixture of both consistency and local flexibility.</p> <p>We see the national value in consistency on description of biodiversity value (and the threats and pressures to it) across LNRs and this will certainly assist in 'join up' across adjacent boundaries. However, there may be locally relevant approaches to the description of biodiversity value (and opportunity) that will not be replicated elsewhere but are necessary locally to capture the level of analysis and understanding that already exists.</p> <p>For example, across the South East of England it is very likely that all counties will seek to include 'Biodiversity Opportunity Areas' (BOAs) within any LNRs produced. These BOAs were originally identified in 2009 as part of the Regional Planning process but remain relevant as important 'envelopes' across the landscape for targeting priority habitat restoration and creation. They are actively used in many counties to plan activity and provide an effective mechanism for identifying where cross-boundary collaboration will be required. A national prescribed approach to description would risk excluding such information and analysis which would be unhelpful at the local scale.</p>
32. If yes, do you have a preference as to how sub-areas based on similarities in biodiversity should be identified? [Tick all that apply]	Above additional information/rationale for Q31 and additional information/rationale for Q32 included in response to Q32 under "Other".
	<p><i>Additional Information/rationale</i></p> <p>In Sussex, in addition to the BOAs (see Q 31 above), National Character Areas will provide a useful framework as these are being used by the South Downs National Park Authority as the basis for much of its work on nature recovery. They are also used by neighbouring counties (e.g. Surrey) for a similar purpose. Thus they provide a common mechanism for identifying opportunities for coherence across the wider Sussex area and beyond. The work that has been done by Natural England on</p>

Question	Response
	NCAs will also be helpful as part of the evidence-base for any LNRS. River Catchments, where these have partnerships in place to guide work, will also be useful and again may provide opportunities to identify where cross-boundary priorities have to be addressed by all relevant LNRSs.
33. 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? [Tick all that apply]	<ul style="list-style-type: none"> - 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) <p>Other. Existing natural capital assessment.</p>
34. How should the statement of biodiversity priorities describe opportunities for recovering or enhancing biodiversity without mapping them? [Tick all that apply]	<ul style="list-style-type: none"> - 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 <p>Other. Fundamentally the LNRS should be based on accepted paradigms, i.e. Lawton approach, species requirements etc.</p>
35. 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? [Tick one]	Strategies should follow the same high-level principles but with local discretion.
36. How should national environmental priorities be reflected when setting Local	Responsible authorities should show how they have considered national priorities.

Question	Response
Nature Recovery Strategy priorities? [Tick one]	Other. There needs to be support from Natural England nationally to understand how the local area helps to deliver national priorities. That context is not always known at the local level.
37. 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? [Tick one]	List priorities and other relevant lower priority outcomes.
	<p><i>Additional Information/rationale</i></p> <p>Our response to this question was that LNRSs should include a range of priorities and outcomes (not just the top ones). There has been very strong and consistent feedback across Sussex Nature Partnership that Local Nature Recovery Network maps must not have any ‘white on the map’ i.e. that there will be opportunities everywhere to seek uplift for nature even if this is small scale and tackling lesser priorities and these should be included. Every landowner must know what contribution they can play to delivering a priority for nature if they are willing and able to do so. Hence it will be important to list all priorities, outcomes and possible measures that will be relevant across the entire geography of an LNRS.</p> <p>In addition, it has been noted by local planning authorities in Sussex and SxNP partners, that LNRSs are particularly focused on identification of opportunities for nature’s recovery. This is a positive approach. However, clarification has been requested as to how and when (and if) LNRSs will provides any additional constraint in terms of planning for land that has a high existing or potential value for nature’s recovery (both inside and outside designations). There is a strong sense that both sides of this equation (opportunity and constraint) will be vital in delivering meaningful recovery for nature, particularly in pressurised areas of the country such as the south east. This relates to the weight of LNRSs within the planning process, which has been outlined in our covering letter. There will be little point on focusing on opportunities on one hand, if important areas of land for nature continue to be lost to development on the other. LNRSs will be developed through consensus and buy-in across stakeholders and will quickly be seen as irrelevant if they fail to protect prioritised areas via the planning process.</p>
38. How should priorities identified in other environmental spatial plans in the Strategy area be	Don’t know

Question	Response
<p>incorporated into the Local Nature Recovery Strategy? [Tick one]</p>	<p><i>Additional Information/rationale</i></p> <p>More guidance from Defra on this would be beneficial (related to the different types of spatial strategies and plans involved, how they should be integrated into a LNRS should be done and how much weight each should carry in a LNRS process).</p> <p>We anticipate that this question refers to documents such as Local Plan, National Park and AONB Management Plans, Catchment Management Plans, Shoreline Management Plans and so on. In Sussex, it would be necessary to carry out an assessment of what this ‘other spatial plans’ includes and to then identify the priorities set out in each. This would be a very time-consuming task that we would not want to embark on until it was clear as to how these should be incorporated into any LNRS process.</p> <p>There is also a question of level of detail to be included in any LNRS. We can see merit in ensuring that all priorities from existing plans and strategies are included in any <u>LNRS process</u> and that how these are then incorporated is dealt with during that process. The LNRS produced will then reflect these inputs and can refer to any detail they contain. Simply ‘writing these in’ to the LNRS documents would make them far too detailed and clumsy and may make it impossible (and very time consuming) to achieve some sort of coherent ‘bringing together’ of the precise contents of a range of other documents.</p> <p>A point of clarity that is required in answering this question fully is what the intended role and status (weight) of an LNRS will be in relation to these other existing plans and strategies. This will determine just how precisely any LNRS must align with and replicate their content.</p>
<p>39. 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? [Tick one]</p>	<p>Yes.</p>

Question	Response
	<p><i>Additional Information/rationale</i></p> <p>LNRs must include information for all stakeholders to guide any action/measures they may take to uplift help uplift nature. This can be related to land type (e.g. farmland, gardens, parks/greenspaces) but may be relevant regardless of where the land is located. This can obviously be in addition to specific priorities, outcomes and measures that can be targeted spatially and mapped.</p>
<p>40. Should there be a standard list of potential measures for responsible authorities to choose from? [Tick one]</p>	<p>There should be a list of suggestions.</p>
<p>41. 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? [Tick all that apply].</p>	<p>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 Any areas the responsible authority chooses</p> <p>Other. We don't really understand why this question is here. Any LNRS should include <u>areas of importance for biodiversity despite their level of designation or legal protection</u>. This should be an unchallenged starting point for all processes to get away from the traditional model of islands of habitat protected within designated sites. Furthermore, priority habitats should be included regardless of their condition. In many cases, Responsible Authorities will not have data to differentiate condition attributes for priority habitats, and current priority habitat audits may vary in terms of completeness. It is therefore naïve to suggest that only habitats in good condition should qualify as areas already of importance for biodiversity.</p>
<p>42. 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]</p>	<p>No.</p>

Question	Response
	<p><i>Additional Information/rationale</i></p> <p>We don't have strong views on this question but lean towards 'no' as a response for two reasons, related to the format of local data and the mapping approach that might work best in a local area.</p> <p>Format of local data: Whilst there are national datasets that all Responsible Authorities will be able to use for a mapping process, local data will be held in different formats from place to place and thus what a local map can include may vary significantly.</p> <p>Mapping approach: The pilot processes used both a traditional (organic) approach to developing an opportunities map (led by stakeholder input as to where opportunities should be located) - and Systematic Conservation Planning, which is much more computer-led (although influenced by stakeholder preferences). The choice is probably best made based on 'stakeholder comfort' with a particular approach and whether or not Relevant Authorities will have the capacity and expertise to use an unfamiliar approach (given that capacity and resources are likely to be limited and may not stretch to training in completely new methods).</p>
<p>43. 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? [Tick one]</p>	<p>No, this should not be set and decided locally.</p>
	<p><i>Additional information/rationale</i></p> <p>Answering this question is difficult due to the lack of clarity as to what a LNRS will prescribe in terms of detail and how much it is aspirational rather than a reflection of what is possible in practice.</p> <p>If a LNRS is purely about setting out an ambition for habitat creation and identifying where this could/should happen (if everyone was willing), then a national ambition for all areas to identify a certain target % of land on which this could happen may be possible and helpful (something to aim for). However, even in this case the proportion of a strategy area that is covered by such a category <u>should be driven by the local circumstances</u> - informed by the local evidence base but guided by the importance of the LNRS area for specific elements of biodiversity (habitat/species) within the national context. So for</p>

Question	Response
	<p>example, areas that contain a very high proportion of specific habitat types in a national context may well end up with a higher % of land in this category than other areas less rich in biodiversity. Similarly, areas with a high proportion within designations or protected landscapes may also start with a much higher % of its area within both ‘core’ and ‘potential’ areas.</p> <p>If a LNRS is to reflect a much more ‘negotiated’ reality - reflecting where opportunities have been identified through the LNRS process and where land is available for such projects - then a set target will <u>not be relevant</u> as the % covered will be dictated by the actual opportunities that come forward as tangible projects and investments for inclusion in the LNRS. This will vary greatly from area to area depending on funding and willingness for landowners to engage in such activity.</p>
<p>44. 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]</p>	<p>Yes.</p>
	<p><i>Additional Information/rationale</i></p> <p>Yes. Every review of a LNRS should reflect on progress made as well as barriers encountered and re-focus action based on the practical delivery that has been achieved since the previous iteration.</p> <p>See our comments above on capacity and resources for the ‘LNRS cycle’ and the need to ensure that there are adequate permanent resources within Responsible Authorities to ensure that the monitoring of implementation is in place in advance of any review of a LNRS.</p> <p>The first LNRS produced should also reflect on where an area is ‘starting from’ in terms of the amount of habitat restoration/creation activity currently going on, where this is taking place and where the partnerships, projects and funding are in place to continue this into the future. Rather than implying that an LNRS is a completely new approach and provides a blank sheet to start from, it should be firmly rooted in an understanding of what is currently going on, what is working, who is involved, who is not involved (who should be) and where the effort and resources are currently being deployed. In Sussex, the Sussex Nature Partnership is currently carrying out a piece of work to identify all the nature recovery</p>

Question	Response
	<p>partnership work already going on (or is being planned), so that any LNRSs produced for the area can start from this foundation.</p> <p>Ideally, a first LNRS would also include a baseline description of the biodiversity in an area - upon which measurement of level of nature's recovery being achieved can be based (an outcomes-based approach). In practice, this will not be possible in all places due to a lack of existing data key issues such as habitat condition, species distribution and so on. Any monitoring of progress to inform subsequent LNRSs will have to be planned in such a way that it reports on useful indicators that can be related to whatever baseline is available.</p>
<p>45. Overall, how satisfied are you with our online consultation tool?</p>	<p>Dissatisfied.</p> <p>This consultation has been too narrowly focused on issues relating to the drafting of regulations and was thus a missed opportunity to gather insights into views on how LNRSs should be used and the capacity/funding needed to ensure they can be prepared and maintained/reviewed over time. These issues are of critical importance to those who will be involved in their preparation and implementation at a local level.</p>

Appendix 2: Sussex Nature Partnership: members

The following organisations form the Sussex Nature Partnership



As well as the Tier 1 authorities and the National Park Authority, all 11 district and borough councils in East and West Sussex participate in the 'Local Authority Network' established by Sussex Nature Partnership in 2021:

Adur and Worthing Councils
Arun District Council
Chichester District Council
Crawley Borough Council
Eastbourne Borough Council
Hastings Borough Council
Horsham District Council
Lewes District Council
Mid-Sussex District Council
Rother District Council
Wealden District Council