

Breakout 3: Counting Down to Biodiversity Net Gain

Disclaimer: Information provided in this document is not legal advice

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Counting Down to Biodiversity Net Gain



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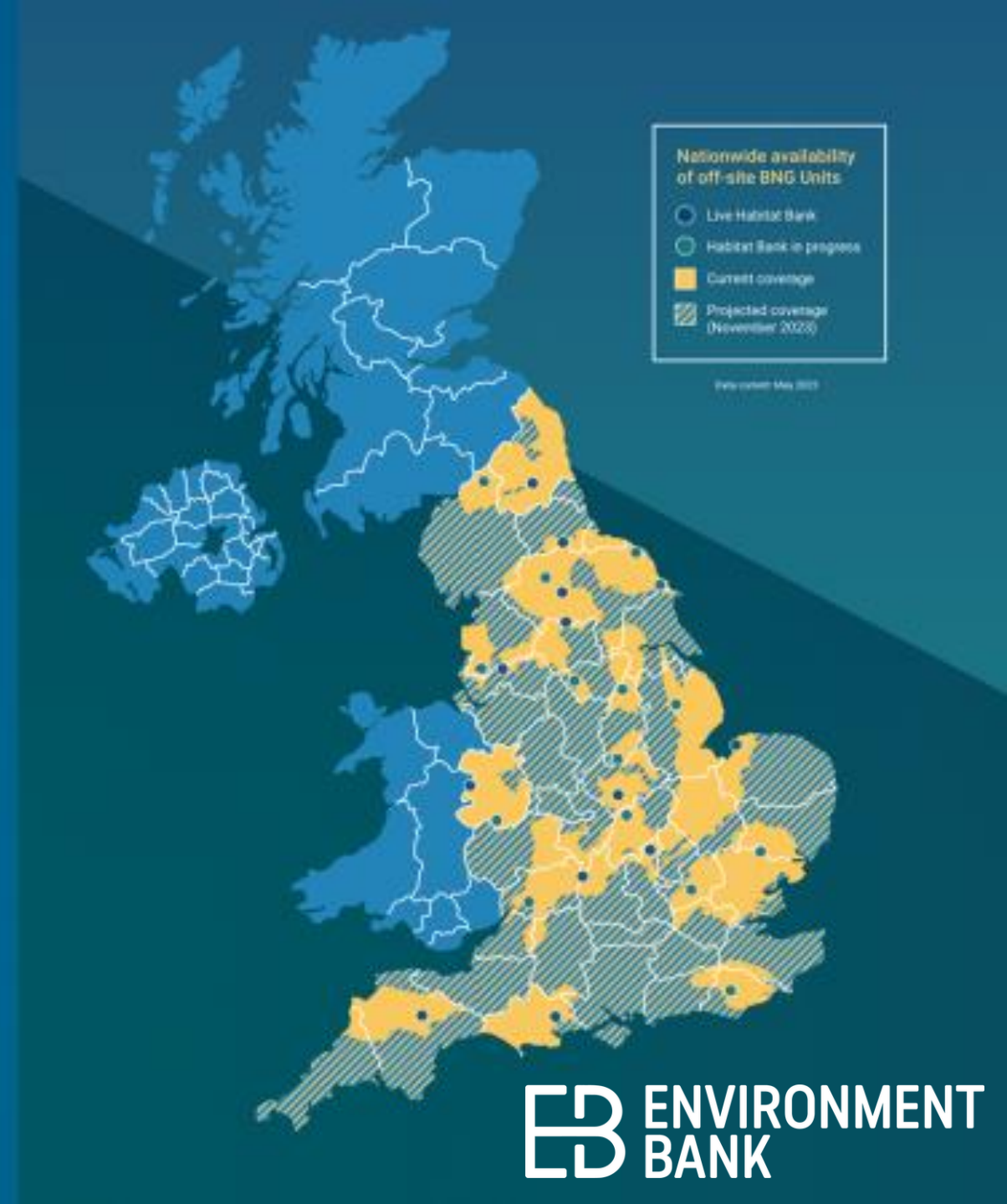


Llyod Collins

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What are habitat banks?

- Landscape scale nature recovery
- Professionally managed for 30+ years
- Clean break for the Developer
- Governed by 106/Conservation Covenant



Before...



At 5 years...



At 10 years...

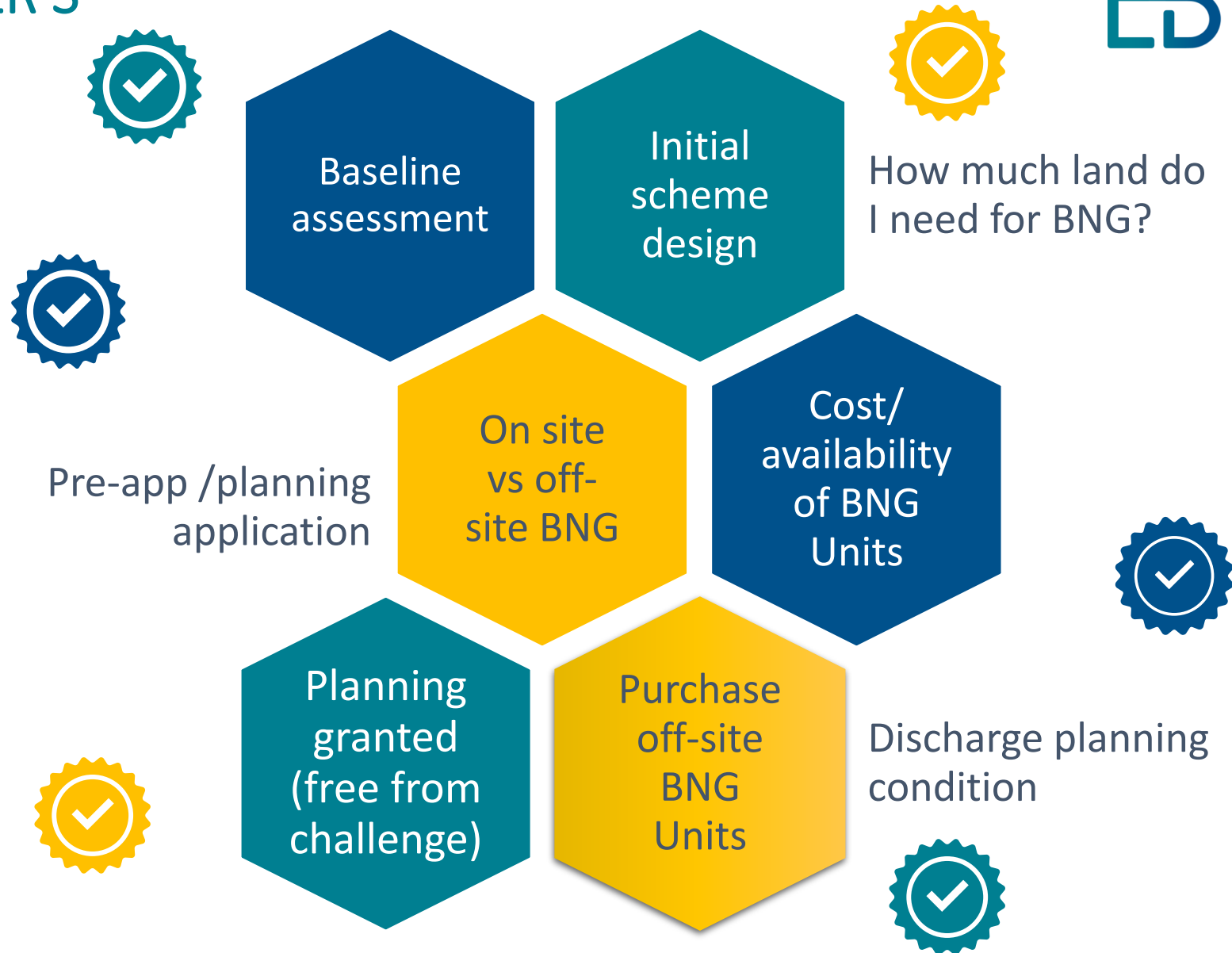


Wetter is better!



Supporting urban developments...
...giving people access to 'big' nature

THE DEVELOPER'S JOURNEY:





Matt Nixon
Legal Director, Shoosmiths

• Practical implications

- Amend and update after run-through.
- Conservation Covenants:
 - Agreement between landowner and a 'responsible body'
 - Local Land Charge
 - Binding on Landowner and successors in title
 - Enforceable by the Responsible Body
- Biodiversity Gain Site Register
- Management, monitoring and reporting
- Enforcement



Wholly onsite BNG delivery

- Secured by S106 in usual way

Part on-site and part off-site BNG delivery

- Off-site – “spatial risk multiplier” – metric assigns greater value to close/more local measures
- Section 106 Agreement
- On-site Units
- Off-site Units
- Statutory Credits – last resort

Offsite BNG delivery within a LA's administrative area

- Section 106 Agreement

Offsite BNG delivery outside of an LA's administrative area

- Conservation Covenant
- As local as possible
- Lump sum or staged payments?
- Issues of enforcement?
- Statutory credits as last resort



Q & A

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