

Epsom and Ewell Borough Council

Biodiversity Duty Actions Report

March 2026

1 Introduction

What is the Biodiversity Duty

- 1.1 The Statutory Biodiversity Duty was first introduced by Section 40 of the Natural Environment and Rural Communities (NERC) Act in 2006 which required that 'every public authority must, in exercising its functions, have regard, as far as is consistent with the proper exercise of these functions, to the purpose of conserving biodiversity'.
- 1.2 In 2021, the Environment Act (Sections 102 and 103) strengthened this duty by amending Section 40 of the NERC Act and by requiring all public authorities in England to take steps to conserve and enhance biodiversity in England.
- 1.3 This Biodiversity Action Report covers the period from 9 November 2021 (the day the Environment Act came into force) up until 31 December 2025.

Purpose of the Biodiversity Duty

- 1.4 The purpose of the Biodiversity Duty is to require public authorities to proactively conserve and enhance biodiversity in their functions.
- 1.5 On a national level, the Government has published the [Environmental Improvement Plan](#) (EIP23), published in January 2023¹, sets out government plans for significantly improving the natural environment. By 2030, the government has committed to; halt the decline in species abundance & protect 30% of UK land. By 2042, the government has committed to:
 - increase species abundance by at least 10% from 2030, surpassing 2022 levels.
 - restore or create at least 500,000 ha of a range of wildlife rich habitats.
 - reduce the risk of species extinction.
 - restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term.

¹ The Government has recently published an updated [Environmental Improvement Plan](#) in December 2025 (which is the end of the reporting period of this report) which sets out interim targets for the statutory Environmental Act 2021 targets.

- 1.6 On a local level The State of Surrey's Nature 2017 published by Surrey Nature Partnership reported that Surrey is experiencing severe biodiversity loss at higher rates than the national average of 2% (around 1 in 9 species in Surrey is now locally extinct). The Council's Biodiversity Action Plan (BAP) 2020-2030 notes the important contribution that natural environment and biodiversity makes to the environment and economy of the Borough.
- 1.7 This all supports the need to take positive action towards conserving and enhancing biodiversity.

Content of this Biodiversity Report

- 1.8 The report contains:
- A summary of the action the council has taken to comply with the biodiversity duty
 - Detail of how the council plan to comply with the biodiversity duty in the next reporting period
 - The actions completed, either alone or in partnership with others, which benefit biodiversity
- 1.9 Further to this is information regarding Biodiversity Net Gain:
- The actions we have carried out to meet our Biodiversity Net Gain (BNG) obligations
 - Information on the BNG resulting, or expected to result, from biodiversity gain plans approved by the authority
 - Details of how the council plan to meet BNG obligations in the next reporting period

2 Biodiversity Duty: Actions taken to comply with the Biodiversity Duty and Future Actions

Policies and Strategies

- 2.1 This section details the policies and objectives that Epsom and Ewell Borough Council have set to meet our biodiversity duty. It also reports on the Actions that the council has completed, along or in partnership with other organisations that have benefited biodiversity.

Climate Change Action Plan

- 2.2 The Council published its first Climate Change Action Plan in 2020, setting an ambitious target of becoming carbon neutral by the year 2035. The Council has since published a second Climate Change Action Plan 2025-2029, which it intends to monitor on an annual basis. The 2025 report demonstrates that under Theme 4 'Improvements to the environment' (page 13-14) several projects are underway which will improve the biodiversity of the borough.

Biodiversity Action Plan 2020-2030 (Reviewed and Updated 2025)

- 2.3 The Biodiversity Action plan (BAP) 2020-2030 aims to conserve and enhance habitat types and species of principal importance within the borough of Epsom and Ewell as identified and listed under section 41 (England) of the NERC Act (2006).
- 2.4 The BAP complies with the requirement for 'first consideration' of what action the authority will take for biodiversity by 1 January 2024. Containing policies and objectives.
- 2.5 The Biodiversity Action Plan was updated in 2025 to reflect the additional requirements introduced by the Environment Act 2021. The BAP contains 5 objectives and a series of supporting actions. The implementation of the plan is overseen by a working group of Council Officers and experts.

Tree Management Plan (2023)

- 2.6 The Tree Management Plan 2023 sets out how the Council will manage the current tree population across the borough including practices to improve biodiversity and where appropriate increasing existing tree canopy and numbers of trees on land we own.

Emerging Local Plan (2022-2040)

2.7 The emerging Epsom and Ewell Local Plan 2022-2040 which remains at Examination stage contains policies that once are in effect will benefit biodiversity in the borough. These includes proposed policies:

- S14 Biodiversity and Geodiversity
- S15 Biodiversity Net Gain
- DM17 Trees, woodlands and Hedgerows
- S18 Green and Blue Infrastructure
- DM19 Open Space, Sport and Recreation

Objectives and Actions

Objectives	Actions	Status
1. Continue to fulfil statutory duties in capacity of Local Planning Authority with regard to ecology and BNG	Publish a report on how the Council has fulfilled the biodiversity duty in accordance with the requirements.	The content of this report will be published on or before 26 March 2026
2. Progress submitted Local Plan (which includes policies on biodiversity protection and enhancement and BNG) through examination and to adoption	Progress Local Plan through 'Examination Stage' in early 2026 and then adoption in autumn/winter 2026.	Preparing additional work to be submitted to the Inspector April 2026. Following this the Inspector will advise how the examination is to proceed.
3. Protect and enhance biodiversity through determination of planning applications	Secure Biodiversity Net Gain from all eligible developments.	Ongoing, BNG being secured on eligible development. Collate monitoring data on applications which are required to deliver Biodiversity Net Gain.
4. Protect and enhance biodiversity through the Management of Council land	Delivering on actions set out in the Biodiversity Action Plan, Climate Change Action Plan, Tree Management Plan and individual site habitat management plans.	The Action Plans and Management Plans are up to date and have their own monitoring mechanisms. The Countryside Team manage works on Council owned sites including scrub clearance, Ragwort pulling, coppicing, pond and grassland management. A lot of this important work is reliant on and carried out by volunteers.

Objectives	Actions	Status
5. Investigate feasibility of a Council-owned Biodiversity Gain sites	Investigate feasibility of business case and consider legal agreement options, for Biodiversity Gain sites in the borough to provide off site Biodiversity Units for developers where it can be demonstrated that provision can not be provided on site	Initial surveys have been undertaken on five Council owned sites across the Borough. Further investigation required.
6. Support the preparation and delivery of the Local Nature Recovery Strategy (LNRS)	As a supporting authority Epsom and Ewell has been involved in the preparation of the Local Nature Recovery Strategy with Surrey County Council and play an important role in its delivery.	Prepublication stage ended February 2026, scheduled for publication in 2026
7. Biodiversity Gains and protection/ reduce Biodiversity Loss	<p>The county of Surrey, including Surrey Heath, has experienced severe biodiversity losses, in recent decades. One in every three of Surrey's native species are at risk or have already gone.</p> <p>Within this figure are 509 species that have already become locally extinct (The State of Surrey's Nature, 2017).</p> <p>This is due to a variety of pressures on the natural environment, including habitat loss, urban and infrastructure development, loss of traditional sustainable farming practices, and in some cases, persecution.</p>	<p>The Countryside Team manage works on Council owned sites including scrub clearance, Ragwort pulling, coppicing, pond management.</p> <p>Continued partnership working e.g. Surrey Nature Partnership Biodiversity Working Group, the Hogsmill Catchment Partnership, the Epsom Common Association etc, All achieve/ensure on going biodiversity gains/protection.</p> <p>Compulsory BNG was introduced 12 February 2024 and eligible applications required to satisfy the statutory requirement for 10% BNG.</p> <p>Existing planning policies in the Core Strategy require CS3 Biodiversity and Designated Nature Conservation Areas require development that is detrimental to biodiversity be minimised and wherever possible</p>

3 Biodiversity Net Gain Information: Actions taken to comply with the Biodiversity Duty

Biodiversity Net Gain

3.1 The Environment Act (2021) also mandates Biodiversity Net Gain (BNG), ensuring that developments (unless an exemption applies) leave Biodiversity in a measurably better state than pre-development. This introduced a mandatory requirement for development proposals to deliver a Biodiversity Net Gain BNG of 10% on qualifying on major development from 12 February 2024 and 2 April 2024 for small sites.

Actions: Planning Applications

3.2 At the time of writing this report, the council determined a total of 35 BNG applicable applications of those 17 have been approved and the relevant conditions or Section 106 have been attached to secure the 30 years monitoring.

	Site ref	Site Name	Onsite/off site
1	23/00402/FUL	Former Dairy Crest Site ,Alexandra Road	Off-site
2	24/00420/FUL	Cottage, St Ebbas Farm,Hook Road	On site
3	24/01310/FUL	96 Castle Avenue, Ewell	Off-site
4	24/00849/FUL	Green Gables, Ashley Road, Epsom	Off-site
5	24/00921/FUL	The Bungalow , Elm Road, Ewell	Off-site
6	24/00230/FUL, 25/00253/REM 25/00705/REM	Bunzl, Epsom Chase, 1 Hook Road	On-site
7	24/01591/FUL	Cedars Health And Fitness Suite, Woodcote Park, Old Barn Road	Off-site
8	25/00037/FUL	44 Timbercroft, Ewell, Surrey	Off-site
9	24/01620/FUL	56 Hook Road, Epsom	Off-site
10	24/01107/FUL	Land And Buildings at Former Gas Holder Station, East Street	On-site
11	24/00992/FUL 25/01287/REM	71 Rosebery Road, Epsom	On-site
12	25/00312/FUL	The Royal Automobile Country Club (RAC), Old Barn Road	On-site
13	25/00545/FUL	Epsom College , College Road, Epsom	On-site

	Site ref	Site Name	Onsite/off site
14	25/00839/FUL	40A The Avenue, Worcester Park	On-site
15	25/00290/FUL	6A Bucknills Close 11A And 13 Whitehorse Drive	Off-site
16	25/01157/FUL	42 Dirdene Gardens, Epsom	On-site
17	25/00844/FUL	David Lloyd Leisure Centre, Ewell Road, Cheam	On-site

3.3 The 17 applications referred to above will deliver the following net gain to biodiversity gain:

Table 1 – summary of additional BNG units expected to be delivered either on site or off site from eligible developments

	Habitat units	Hedgerow units	Watercourse units
On site provision	1.60	0.96	0
Off-site provision which will need to be secured	1.19	0	0

Actions: Off site Biodiversity provision

3.4 The Council is investigating the feasibility of the potential of council owned sites to deliver off site Biodiversity Net gains for developments in the borough. The Council commissioned surveys of 5 Council owned sites which were completed in October 2024. The surveys consider different biodiversity enhancement options which the sites could offer with additional biodiversity units. The Council is exploring the feasibility of introducing these projects.

4 Biodiversity Duty, BNG: Future Actions

4.1 This section explains how Epsom and Ewell Borough Council will fulfil its biodiversity duty up until April 2027. This date has been selected as opposed to the 5 years reporting period set out in guidance, due to Local Government Re-organisation which will result in the abolishment of Epsom and Ewell Borough Council in April 2027 and the establishment of a new Unitary Authority for East Surrey.

- Progress the emerging Local Plan (2022-2040) to adoption
- Secure Biodiversity net gain from all eligible developments
- Implement the Biodiversity Action Plan
- Implement the Tree Management Plan
- Implement the Climate Change Action Plan
- Implement Epsom Downs Management Plan
- Implement the Horton County Park Local Nature Reserve Management Plan
- Implement the Hogsmill Local Nature Reserve Management Plan
- Support the delivery of the Local Nature Recovery Strategy (LNRS) once adopted
- Continue to work with partner organisations and volunteers on various projects to deliver on going biodiversity projects and initiatives.