

 Executive, 13th July 2011		Agenda Item No. <div style="font-size: 2em; text-align: center;">7</div>
Title	Habitat Biodiversity Audit Partnership	
For further information about this report please contact	Gary Stephens, Group Leader (Policy, Projects & Conservation)	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	24 th April 2001, Executive (Environment)	
Background Papers		

Contrary to the policy framework:	Yes
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes, ref. 330
Equality & Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	10/06/11	Chris Elliott/Bill Hunt
Head of Service	10/06/11	Paul Pinkney
CMT	14/06/11	
Section 151 Officer	10/06/11	Mike Snow
Monitoring Officer	10/06/11	Andy Jones
Finance	10/06/11	Jenny Clayton
Portfolio Holder(s)	16/06/11	John Hammon
Consultation & Community Engagement		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. SUMMARY

- 1.1 The Council are a member of the Coventry, Solihull & Warwickshire Habitat Biodiversity Audit Partnership which provides an environmental audit of the sub-region enabling authorities to fulfil their legal duties to conserve biodiversity. The Council's ongoing financial contribution to the Partnership requires the Council to go through a tendering process under the Code of Procurement Practice. The Executive is asked to maintain the Council's membership of the Partnership and approves that the contract be continued without proceeding through a tender process.

2. RECOMMENDATION

- 2.1 That the Executive agrees to maintain the Council's membership of the Habitat Biodiversity Audit Partnership and approves that the contract with the Partnership be continued without proceeding through a tender process as an exception to the Code of Procurement Practice.
- 2.2 That the Executive approves that the contract with the Habitat Biodiversity Audit Partnership be reviewed annually by the Head of Development Services, in consultation with the Portfolio Holder, with any substantive changes arising to the contract being reported to Executive for approval.

3. REASONS FOR THE RECOMMENDATION

- 3.1 In 1995, the Council became a member of the Coventry, Solihull & Warwickshire Habitat Biodiversity Audit (HBA) Partnership. The HBA Partnership consists of the County, City, District and Borough Councils, Warwickshire Wildlife Trust, Natural England and the Environment Agency. A partnership checklist is attached as Appendix One for information.
- 3.2 The HBA is managed by Warwickshire Wildlife Trust and the HBA Team is housed and resourced by the County Council. The purpose of the HBA is to provide a continuous and consistent environmental audit of land across the sub-region for its biodiversity potential. This is undertaken through two stages of work. Firstly, a Phase 1 habitat survey which aims to classify and map wildlife habitats across 15-20% of the sub-region per annum. Secondly, a Phase 2 habitat survey of specific sites in order to evaluate and designate Local Wildlife Sites (Sites of Importance for Nature Conservation) which have non-statutory protection from new development through the application of Local Plan Policy DAP3. As a member of the Partnership, the Council inform which areas and sites are to be surveyed each year.
- 3.3 The environmental audit data available enables the Council to fulfil its legal duty under Section 40 of the Natural Environment and Rural Communities Act (October 2006), to have regard to conserving biodiversity when exercising its functions, such as when determining planning applications or preparing Development Plan Documents. It also provides a central resource for each of the authorities (it's a key piece of evidence to inform the New Local Plan), wildlife organisations, schools,

and individuals, as well as providing volunteering opportunities in the local community.

- 3.4 The annual cost of the HBA Partnership is approximately £86,000, shared between the eight funding Councils. The annual cost to the Council equates to £10,751 for 2011 which under the Code of Procurement Practice introduced last year requires three written quotations.
- 3.5 In this instance, it is recommended that the Code of Procurement Practice is not adhered to as the pooling of resources (both money and knowledge/skills) through the HBA partnership enables the Council to access information at far less cost than if it were to procure such services from environmental consultants individually. The equivalent cost of delivery of the HBA audit data through external consultants is estimated to be in the region of £150,000 based on day rates of £300-£350 per day. Working in partnership with the other environmental bodies also has the added advantage of providing a robust mechanism for the evaluation and designation of Local Wildlife Sites which is a service which could not be provided by consultants.
- 3.6 Executive are therefore asked to authorise that the contract be continued with the HBA Partnership without going through a tendering exercise, and that this contract be reviewed annually by the Head of Development Services in consultation with the Portfolio Holder. Any substantive changes to the contract would be reported back to Executive for their approval.

4. **POLICY FRAMEWORK**

- 4.1 **Policy Framework** – N/A
- 4.2 **Fit for the Future** – The recommendation and the Council's continued participation in the HBA Partnership will directly help to protect the environment of the District in accordance with the SCS which aims to protect the natural environment.

5. **BUDGETARY FRAMEWORK**

- 5.1 The budgetary implication of membership of the HBA Partnership is £10,751 for 2011/12 and provision has been made within the current year's budget. This would be an ongoing commitment and provision would need to be made for future years, subject to any substantive changes resulting in a further report to Executive.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 An alternative option would be to not continue with involvement in the HBA Partnership and to go through a tendering process. This will require greater staff time and resources in procuring this advice, increase the cost of securing the advice to the Council, and impact on the ability of the Council to designate Local Wildlife Sites. This would be to the detriment of the environment of the District and may not achieve the aims of the SCS.