

The Biodiversity Duty

First Report - 26 March 2026

1. Introduction

1.1 The Environment Act 2021 introduced an enhanced duty for the Council, “to conserve and enhance biodiversity in the exercise of its functions” (aka the ‘general biodiversity objective’) and “from time to time consider what action the authority can properly take, consistent with the proper exercise of its functions, to further the general biodiversity objective”.

1.2 This enhanced duty requires formal demonstration of compliance. There are two stages to demonstrating this compliance:

- By 01 January 2024 the Council was required complete its “first consideration” of the actions it could take to conserve and enhance biodiversity; and
- No later than 01 January 2026 (and every 5 years hence), it is required to prepare a “Report” setting out its plans and actions for complying with the duty – to be published within 12 weeks (i.e. by 26 March 2026).

2. The First Consideration Report

2.1 This task was undertaken and a report was prepared and published in December 2023. This identified the then current and planned actions that contribute/would contribute to fulfilling the Biodiversity Duty. Some future actions were identified to be considered in due course through the appropriate policy-making mechanisms.

- [Burnley Council Biodiversity Duty: First Consideration of Actions Report](#)

3. The Biodiversity Report

3.1 Section 103 of the Environment Act 2021 requires local authorities to publish ‘A Biodiversity Report’, which summarises the actions taken to comply with the duty, and a summary of the authority’s plans for complying with the duty over a period of up to five years. For local planning authorities, it must also include actions carried out to meet Biodiversity Net Gain (BNG) obligations; and details of BNG resulting, or expected to result, from approved biodiversity gain plans. The local authority must have regard to any relevant local nature recovery strategy (LRNS) and any relevant species conservation strategy.

3.2 An officer working group was to be formed *“to consider future (short and medium term) actions and an appropriate way of measuring, monitoring and reporting them, which may include the preparation of a Biodiversity Action Plan. The actions should focus on current activities, identifying opportunities to enhance these and seeking new opportunities particularly partnership arrangements and potential future resource requirements and funding opportunities.”* An informal group of key officers was established to prepare this Biodiversity Report.

3.3 The First Consideration Report listed a number of objectives and then current, planned and possible future actions. This first Biodiversity Report confirms the position with regard to these actions, setting out progress against them and whether any of the then future actions have now been adopted as policy and/or any entirely new actions identified. (Please note, some actions have been reordered/refined).



Photos – Burnley Parks and Green Spaces

Table: Biodiversity Duty Actions

	Jan 2024 - Preliminary Assessment of current and planned actions that contribute towards meeting the objectives and policies (either alone or in partnership) as set out in the First Consideration Report	Future actions identified in Jan 2024 for consideration for the first Biodiversity Report and any new actions proposed to date - March 2026	Summary Progress - March 2026
Objective 1	Mainstreaming Biodiversity: Plans, Policies and Strategies The Council's overall approach to meeting The Biodiversity Duty is to mainstream biodiversity, ensuring it is embedded into all Council services, strategic plans, policies and decision making, not just those directly related to the environment.		
		Identify a corporate lead for co-ordinating and monitoring delivery of Biodiversity actions	The Chief Operating Officer is the corporate lead.
	Strategic Plan 2023 – Actions under “Places” contribute to the biodiversity duty	Strategic Plan update (2024) to include a commitment to conserving and enhancing the borough's biodiversity (under “Places”) making Burnley, as a place, more ecologically resilient and wildlife rich.	Greenspaces and Amenities updates to Strategic Plan will include update on relevant actions from Jan 2026
	Climate Change Strategy (2022-26) incorporates biodiversity through the adoption of nature-based actions under Theme 5	Identify opportunities to integrate work on biodiversity with the Council's Climate Change Strategy.	Annual progress updates are reported under Theme 5 of the strategy 'Enhance the natural environment'. Actions around protecting and increasing trees, woodland, meadowland and habitats are monitored.
	Biodiversity already embedded in Local Plan (2012-32) and Supplementary Planning Documents (SPDs) - Planning for Health SPD and Air Quality Management SPD	Identify other plans & strategies when reviewed, as an opportunity to incorporate biodiversity where appropriate, including Green Infrastructure (GI) Strategy and Green Spaces Strategy.	A new Local Plan will be required (by national legislation and policy) starting in December 2026, unless additional transitional arrangements are put in place for Councils undergoing local government

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		Prepare new Local Plan as required and in line with new national legislation and policy.	reorganisation. Local policies will be largely supplanted by national development management policies from summer 2026. - Supplementary Planning Documents (SPDs) can remain in place until the new Local Plan is adopted, which won't be before 2029; but will be of decreased weight in decision-making. (SPDs are to be removed from the new plan-making system so no new ones can now be prepared). - The Green Spaces Strategy includes a section on the management of natural and semi-natural green spaces.
	Biodiversity already embedded in Green Infrastructure Strategy (2013-2031); Green Spaces Strategy (2015-25); and Green Flag Management Plans	Biodiversity impacts of decisions taken by Council are not formally considered; potential to incorporate high-level biodiversity impact assessments (where appropriate) into committee reports.	Green Flag Management plans are reviewed and updated annually and include actions to enhance biodiversity in heritage parks.
	Procurement Strategy includes sustainable procurement	The strategy was approved by Full Council, 22 February 2023.	New 8-year waste and Cleansing Contract procured in summer 2025 - the tender evaluation included scoring of carbon reduction measures as required by the procurement strategy.

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Objective 2	Positive management of Council-owned land and buildings to enhance biodiversity and ensure that existing habitats and species are safeguarded and managed appropriately. To maximise the potential of the Council's estate - buildings, parks, open spaces, watercourses and tree stock etc to conserve and enhance biodiversity, whilst balancing their multifunctional needs.		
	Management of parks and green spaces for nature including the creation of areas of new habitats such as wildflower meadows and woodlands	Assess the potential for enhancing small scale habitats in Council-owned land and buildings, including nest and roosting boxes, green walls, green or brown roofs	- Current activities include planting of new woodland trees, hedgerows and meadow areas on green spaces in South West Burnley. Urban Tree Challenge funded tree planting on sites across Burnley and seeding native wildflowers to enhance meadow areas in Towneley Park and Brun Valley Forest Park. - Swift boxes were installed on Towneley Hall as part of the restoration scheme. Locations for swift boxes to be identified on various bowls pavilions as part of ongoing refurbishment programme and implemented spring 2026.
	Native and sustainably UK sourced trees and plant species are used in new planting	Establish a programme of species and habitat surveys to record and monitor the ecological baseline for Council owned/managed land drawing on previous survey work (Burnley Wildlife and Habitat Survey 2017), existing ecological data (i.e.	- UK provenance trees are specified for all tree purchases from registered 'Plant Healthy' suppliers. - No further progress, except for the survey of 35 meadow sites undertaken previously and

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		Local Plan Evidence Base and information held by Lancashire Environment Record Network - LERN); and emerging data through the Local Nature Recovery Strategy (LNRS) to identify the need for further survey work to fill data gaps.	to be updated 2026. Funding is required for the survey work.
	Wildflower planting	Using the data above, assess the potential for creating new and/or enhanced spaces for nature recovery, and movement between, within our parks and open/green spaces (links with the LNRS and BNG). See Bristol's example Nature Recovery Leaflet (bristol.gov.uk)	- Existing grassland areas are being over sown with native wildflower seed where funding allows; including highway verges in Cliviger and in Towneley Park, Scott Park, Bank Hall and South West Burnley. - No further progress.
	Bedding planting largely replaced with herbaceous perennials and pictorial meadows	Review and implement the Council's Rethinking Parks Programme (CC Strategy action by March 2026)	Bedding planting is now only provided for Burnley and Padiham town centre planters and the flower garden at Towneley. Elsewhere all has been replaced with herbaceous planting and pictorial meadows.
	Reduced the use of herbicides and pesticides	Bid for additional funding to deliver local nature recovery projects on Council-owned land	Herbicide use under the Street Services Agreement with LCC is minimised, with one application in spring and follow up treatment in late summer.

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			No progress on bid but will progress an application to a landfill communities fund for grant funding to improve urban meadows.
	No use of peat	Scope the potential for additional management and maintenance regimes for our parks and green spaces that maximise potential for biodiversity, carbon storage and sequestration.	- Bedding plants are specified to be grown in peat free compost - This is being undertaken through the annual review of Park Management Plans
	Beneficial mowing (low-mow) management practices	Assess the condition and review the management of Council-owned sites that are protected or designated as being of particular biological importance (Local Nature Reserves and Biological Heritage Sites). Where required, prepare and implement Conservation Management Plans.	- There is a programme of managing as much grassland as possible as meadow (low-mow) which are cut twice per year and on larger sites a single cut with the hay crop baled and removed - No progress, but identified as an action in the Green Spaces Strategy
	Beneficial woodland management practices as set out in Tree Management Policy (2021)	Leading by example: demonstrate the positive role of estate management to businesses, other organisations and the general public.	- The Tree Management Policy is being followed. - Additional funding secured from Forestry Commission LATF & UTCF programme,

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			Trees for Cities and the Tree Council for tree and woodland planting schemes in Burnley • We are using the Woodland Trust tree deprivation index to target new planting • Will do more to promote relevant activities on Facebook and improve the Council's webpage, etc. on meadow management
	• Making successful bids for external funding to deliver biodiversity enhancements, for example the Climate Action Fund		• Funding from the National Lottery's Climate Action Fund secured for a 4-year programme of activities 2022 - 2028
	• As part of the Council's Rethinking Parks programme, an area of 76 hectares of formerly frequently mown amenity grassland is now being managed as urban meadows. Altogether, 40% of Burnley's open space is now being managed as low intensity, semi-natural greenspace in the form of woodlands, meadows and waterbodies		• In progress

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	35 meadow sites have been surveyed (2022) for species diversity to inform future management		The meadow sites will be re-surveyed in summer 2026
	Preparation of a Masterplan for Towneley Park which will include biodiversity net gain opportunities being explored		The Masterplan is complete and a BNG assessment of Towneley was undertaken in early 2025 by LWT. This is being developed in more detail, spring 2026.
Objective 3	Planning and Development, including Biodiversity Net Gain		
	Burnley's Local Plan addresses biodiversity through a number of its policies including those for the conservation of designated and protected international, national and local sites, habitats and species of importance. It seeks to protect and enhance ecological networks and to protect and enhance green infrastructure generally including open spaces. It also includes a policy related to protecting specific trees and trees on development sites. Moreover, it requires developments to maintain and actively enhance	Planning policies and development management decisions will continue to protect and enhance habitat, species, ecological networks, trees and woodlands, green infrastructure and ensure BNG.	- The Local Plan remains in place and up-to-date, but its status may be affected by a new NPPF in summer 2026. - A new Local Plan will be required (by national legislation and policy) starting in December 2026, unless additional transitional arrangements are put in place for Councils undergoing local government reorganisation. - Local policies will be largely supplanted by national development management policies from summer 2026. - Where national development management policies or statutory duties do not

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	biodiversity in order to provide net gains where possible. These policies are considered and applied to all relevant developments across the borough and are central to the determination of applications for planning permission.		adequately provide for this, the new Local Plan will seek to ensure such policies are put in place.
	Protection and maintenance of the most valuable trees and woodland in the borough through the imposition and assessment of Tree Preservation Orders	Implement BNG and ensure all relevant planning applications are treated in accordance with the Regulations	- Ongoing. Data sets are to be overhauled and made publicly available in 2026. - Statutory BNG is being implemented as required.
	The Council has a Service Level Agreement with Greater Manchester Ecology Unit (GMEU) for ecology advice including the assessment of planning applications in relation to ecological impacts and net gains for biodiversity (BNG)	Extend SLA with GMEU for enhanced services in relation to mandatory BNG including the assessment of eligible planning applications to ensure that assessment of mandatory BNG proposals is accurate, achievable and, where needed, off site measures have been identified.	- GMEU no longer provide Ecology Services as they do not have the resources to meet additional demands of BNG. - Development Control (DC) have entered a 3-month trial contract with Merseyside Ecological Advisory Service (MEAS) (Feb-April 2026) to provide advice on Major applications with ecology issues. They provide a fortnightly drop-in session to advise officers, and two training sessions are to be arranged shortly to empower

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			officers to deal with ecology matters with more confidence. The Council contributed to the LERN in 2025/6 as it recognised the need for this resource - and it also assists MEAS
	Biodiversity Net Gain, as calculated using the Defra approved biodiversity metric, is sought through negotiation on planning applications in accordance with Policy NE1. On-site biodiversity enhancements are secured through planning conditions with off-site contributions via planning agreements.	Explore the available options for monitoring and enforcement of mandatory BNG	- The Consultation Draft NPPF (Dec 2025) states that local plans should only set local standards for BNG (non-statutory 'policy' BNG) which are in excess of the statutory requirement (i.e. higher than 10%) where this is for specific site allocations and is fully justified and deliverable. It appears to still allow net gains below 10% to be sought on sites exempt from statutory BNG where this is in accordance with adopted local policies. The DEFRA metric can be used for this. - A new Local Plan will be required (by national legislation and policy) starting in December 2026, unless additional transitional arrangements are put in place for Councils undergoing local government reorganisation. Local policies will be largely

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			supplanted by national development management policies from summer 2026. • DC have set up a monitoring spreadsheet for all planning applications subject to statutory BNG and have an officer responsible for this. Additional enforcement resource now in place.
	• Preparation for the implementation of mandatory 10% biodiversity net gain (BNG) is ongoing	• Scope the potential for a Council-owned strategic BNG site within the borough where habitats could be created and/or enhanced, funded through the sale of BNG units to developers in need of them to achieve the required net gain for their developments.	• Statutory BNG is now in place but there have been and are like to continue to be system adjustments. • DC, Streetscene and Greenspaces and Amenities are in discussion with regard to Council-owned sites to see if this is feasible. Lancashire Wildlife Trust (LWT) has carried out a survey in Towneley Park.
	• To assist the Council in preparing for BNG, planning officers have attended BNG meetings, workshops, and seminars provided by the Planning Advisory Service, DEFRA, Natural England, and Derbyshire County Council	• Consider the need for additional resources and expertise	• Recognise the need for additional training to consider planning applications subject to or exempt from statutory BNG. The contract with MEAS includes ongoing training and support to give officers the confidence to deal with simpler schemes. Officers will be encouraged to attend relevant training, particularly RTPI-led courses.

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Objective 4	Improving our knowledge and monitoring of biodiversity Understand the existing extent and condition of our habitats and species to inform actions to increase their quality, diversity and extent; enable the impact of Council activities to be measured; and identify any new threats and opportunities across the borough.		
	The Local Plan Evidence Base provides an ecological baseline, identifying key species and habitats including those on Council owned/managed sites. This is supported by GIS mapping data. All studies are published on the Council's website Ecological Studies - burnley.gov.uk	Review and update Local Plan biodiversity evidence base as necessary	The bespoke evidence e.g. for possible site allocations, would only be necessary for a new Local Plan once underway. More general evidence (i.e. supporting the local plan as well as other policies and strategies) is up-dated as and when required. See e.g. reference to LNRS under objective 5.
	Burnley Wildlife and Habitat Survey (Golder Associates 2007): Phase One Habitat Survey of all Biological Heritage Sites (43 in total) and other sites of known or potential nature conservation value within the borough. The survey identified a number of sites considered worthy of BHS status.	Establish a programme of species and habitat surveys to record and monitor the ecological baseline for Council owned/managed land drawing on previous survey work (Burnley Wildlife and Habitat Survey 2017) and existing ecological data (i.e. Local Plan Evidence Base and information held by LERN) and emerging data through the LNRS to identify the need for further survey work to fill data gaps.	- Survey of 35 meadow sites undertaken previously to be updated 2026. Funding is required for the survey work. (See Objective 2) - A BNG assessment of Towneley was undertaken in early 2025 by LWT. This is being developed in more detail, spring 2026. (See Objective 2)

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	Annual monitoring information on biodiversity related policies is included in the Council's Annual Monitoring Report and includes the loss of protected open space to development.	Continue to monitor the implementation of the policies and proposals in the Local Plan	AMR continues to be published as required. The latest 2024/5 AMR was published in January 2026
	Contribute to Lancashire Environment Record Network (LERN) via specific agreement with Lancashire County Council for the provision of data and services.	Scope the potential for increasing the amount of land designated as Local Nature Reserve (LNR) in the borough (aiming to meet the Natural England target of at least one hectare of LNR per 1,000 people)	LERN Contribution for 2025/6 made.
Objective 5	Projects and Partnerships Working with others on joint biodiversity related strategies, initiatives, and projects, including the Lancashire Local Nature Recovery Strategy (LNRS)		
	Member of the Lancashire LNRS Steering Group as a Supporting Authority	Continue to work in partnership with the County Council (and other Lancashire Authorities) to develop the Local Nature Recovery Strategy, which will provide a strategic overview of the habitats throughout the County; and ensuring the LNRS is well understood across the Council and complements other relevant plans and strategies.	- Officers inputted into the work of Lancashire County Council and the two Lancashire Unitary Councils to produce the LNRS. This is now complete and was published on 16 January 2026 Local Nature Recovery Strategy 2026 - Lancashire County Council

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	Member of Lancashire Local Nature Partnership	Continue to collaborate with statutory agencies such as Natural England, the Environment Agency, The Canal and Rivers Trust together with other partners including The Forestry Commission, LCC and neighbouring Local Authorities.	- The Council is a 'member' and is circulated all meetings agendas and notes, and officer(s) attend meetings when possible/necessary. Lancashire LNP
	Support Parks Friends Groups and organisations working with and supporting communities to deliver projects that enhance biodiversity	Continue to support organisations who are working with and supporting communities to improve green spaces, habitat and species diversity such as Parks Friends groups, Trees for Burnley, Offshoots and Groundwork.	This is ongoing through parks officers attending friends' meetings, updates of the park management plan and involvement of Green Activity Coordinator supporting volunteer projects in parks.
		Continue to support the efforts of local and national nature conservation groups such as the Lancashire Wildlife Trust, Lancashire Peat Partnership and Ribble Rivers Trust.	
Objective 6	Workforce Development Training and Education for councillors and council employees to ensure that there is a sound understanding of biodiversity across the Council		
	Carbon Literacy accreditation achieved.	Raise general awareness, using available guidance and resources. Integrating biodiversity into staff briefings and, where	The Council achieved the Gold Carbon Literate Organisation Award in February 2025.

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		necessary, providing specific training. For example, all staff and Members to complete e-training such as the Biodiversity e-learning for councils Local Government Association	
	• Work with statutory agencies and partners including the Lancashire Wildlife Trust, The Forestry Commission, LCC and neighbouring Local Authorities.	• Remind staff of volunteering policy and opportunities to undertake voluntary conservation work	• There is a volunteering programme in place for Council staff to take part in conservation activities such as tree planting and woodland management
	• Work with partners to secure funding for new woodland planting including the Pennine Lancashire Treescapes Project (PLanT) which delivered 45 new woodlands with 16,000 native woodland trees and created 5 new community orchards in 2022; and Beat the Street Tree Planting Initiative (2023-28) which will plant 22,000 woodland trees and the Forestry Commission Urban Tree Challenge Fund which will plant 100 large specimen trees on urban sites 2023 - 2025.	• Additional specialist training for staff involved in the management and/or maintenance of Council-owned sites of particular local importance for habitats and/or species	• Complete, with grant funding secured from Forestry Commission LATF/UTCH programme, Trees for Cities, the Tree Council and the National Lottery Climate action fund • To be organised in summer 2026 for GS&A staff

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Objective 7	Education, Advice, Awareness and Engagement Creating a greater awareness of the part everyone can play in supporting nature and biodiversity. Engaging with stakeholders and the public to promote an increased understanding and awareness of biodiversity; to better understand the impact of their actions on nature and wildlife; and deliver community-led biodiversity actions.		
		Create a dedicated Council webpage(s) for Biodiversity.	Completed December 2025 The Biodiversity Duty - burnley.gov.uk
	Burnley: an Outdoor Town is providing events and activities including outdoor education activities and work with schools		There is a significant programme of activities through Outdoor Town and also promoted on the Outdoor Town Facebook page
	Supporting volunteering through Friends Groups and other initiatives that involve local communities in biodiversity projects such as Burnley's Volunteer in Parks Initiative and Beat the Street Tree Planting project	Increased interpretation (boards, leaflets, posters, guided walks etc).	
	Burnley Green Activities Project (Climate Action Fund) 2023: a programme of volunteer activities to deliver nature-based solutions to climate change including tree and	Examine the scope to increase awareness by incorporating biodiversity messages into a wide variety of interactions and communications with stakeholders and the public (i.e. the importance of avoiding the	This programme is ongoing until March 2028

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	woodland planting and the creation of wildflower meadows	use of pesticides and artificial grass in gardens).	
	Environmental activities for schools are delivered at Towneley in partnership with River Ribble Trust and Newground Offshoots	Incorporating biodiversity in the advice provided to business to increase their environmental profiles.	This work is ongoing at Towneley
		Recognition of Biodiversity in the Burnley Business Awards as an additional criterion in the Environmental Excellence Award or as a separate award.	
		Continue to pursue funding opportunities for the delivery of community led biodiversity actions.	

Key Links:

[Complying with the biodiversity duty - GOV.UK](#)

[Local Nature Recovery Strategy 2026 - Lancashire County Council](#)

[Lancashire LNP](#)

[Planning Policy and the Local Plan - burnley.gov.uk](#)

[Climate Change Strategy - burnley.gov.uk](#)

[Green Spaces Strategy 2015 - 2025 - burnley.gov.uk](#)

Burnley Council – March 2026 V1