

Mike Oxford

Project Officer



A S S O C I A T I O N   O F

Local Government Ecologists

Implementation of  
development control  
policy on the ground

How this works at  
present

Donald Rumsfeld  
United States Defence Secretary Feb 12th 2002

“As we know, there are known knowns.

There are things we know....

We also know there are known unknowns.

That is to say we know there are some things  
we do not know....

But there are also unknown unknowns, the ones we don't know  
we don't know”.

**The challenge for  
local authority  
planning  
departments when  
negotiating  
compensatory  
ecological measures**

**...**

**under existing  
environmental and  
planning policy /  
guidance**

## Things We Know



Office of the  
Deputy Prime Minister  
*Creating sustainable communities*

Planning shapes the places where people live and work and the country we live in. It plays a key role in supporting the Government's wider economic, social and environmental objectives and for sustainable communities.



# PLANNING

Planning Policy Statement 9:  
Biodiversity and Geological  
Conservation

August 2005

# *Key Principles From PPS 9*

*Information – A Good Evidence Base*

*Strategic Approach To Wider Environment*

*Policies Should Promote Enhancement*

*Permit Development Aiming To Conserve And Enhance*

*Explore Reasonable Alternatives And Avoid Impacts*

*Mitigate And Compensate Significant Impacts*

*Where Mitigation / Compensation Is Not Possible – Refuse !*

## Things We Know



PLANNING

Planning for Biodiversity  
and Geological Conservation:  
A Guide to Good Practice

Things We Know

---

STATUTORY INSTRUMENTS

---

**1994 No 2716**

**Wildlife**

**Countryside**

**The Conservation (Natural  
Habitats, &c.) Regulations**



**LONDON HMSO**  
**£8.70 net**



# Things We Know

## OFFICE OF THE DEPUTY PRIME MINISTER

---

*ODPM Circular 06/2005*  
Office of the Deputy Prime Minister  
Eland House, Bressenden Place, London SW1E 5DU

---

*Defra Circular 01/2005*  
Department for Environment, Food and Rural Affairs  
Nobel House, 17 Smith Square, London SW1P 3JR

---

16 August 2005

GOVERNMENT CIRCULAR:  
BIODIVERSITY AND GEOLOGICAL  
CONSERVATION AND TUTORIAL OBLIGATIONS  
AND THEIR IMPACT ON THE PLANNING  
SYSTEM



**What Will Encourage Greater Cooperation ?**

# Council Ecologists



**The challenges for  
local authority  
planning  
departments ...**

**When ensuring  
compensatory  
measures do deliver  
what they say they  
will**

# Enforcement ?

It has to be effective !

Speed isn't Everything !

Quality!

= Detail

= Time



# Offsetting Must

## Deliver What it Says on the Tin !

- Commitment to proposed measures
  - Sufficient detailed design to be credible
  - Adequate planning conditions/obligations
  - Encourage compliance
  - Enforcement
- 
- Monitoring
  - Mechanisms for Contingencies
  - Resources for long-term management



# **Challenges in the negotiation and supervision of biodiversity offsetting mechanisms**

Appreciate the local politics

Remember local people

Gain democratic support

- Clear strong message from central Govt.
- Clearly understood mechanisms  
*e.g. 106s vs Community Infrastructure Levy ?*
- Foster *Environmental Negotiation Skills*
- Long-term maintenance
  - Funding
  - Staffing & Expertise
  - Provision for Contingencies
  - Monitoring e.g. Linkage between Annual Monitoring Reports and BARS

Remember  
the Unknown Unknowns !!!

Thank you for your ear

[michaeloxford@btinternet.com](mailto:michaeloxford@btinternet.com)