

## **ENVIRONMENTAL INFORMATION REGULATIONS 2004 – HABITAT OFFSETTING SCHEMES**

Your request for information has now been considered and the Council's response to your questions is shown below.

**You asked:**

**I am trying to collect a full list of biodiversity and habitat offsetting schemes across England. Offsetting is where the impacts of a development are compensated for by creating a habitat on a separate site (as opposed to mitigation which takes place on site). The questions are as follows:**

**Definition: Offsetting -- where the environmental impacts of a development are compensated with some environmental that takes place at a different location. This is different from mitigation, where the impacts of a particular development are compensated on the same site.**

- 1. Can you provide details of any planning permissions granted by your Local Planning Authority which mandated any habitat or biodiversity offsetting schemes under Conservation (Natural Habitats, &c) Regs 1994 (Commonly known as 'Habitats Regulations' under the EU Habitats Directive)?**

Unfortunately, we do not specifically record this information on our database. In order to extract the information you are requesting we would need to examine each case manually which, under the EIR Regulation 12(4)(b) would be deemed "Manifestly Unreasonable". This is based on an estimated 10 minutes per case and approximately 36000 records since the beginning of 1994. This would take us over 6,000 hours.

You may wish to refine your request by narrowing its scope by being more specific about what information you particularly wish to obtain, including any dates or period of time relevant to the information required. We do have a duty to advise and assist you in refining your request under Regulation 9(1) of the Regulations.

You may wish to consider specifying planning permission for which environmental impact assessments were submitted. Please don't hesitate to contact us if you need help in refining your request.

- 2. Have you undertaken any other offsetting scheme under other planning legislation (such as Section 106 planning agreements)? Are you aware of any voluntary or other offsetting agreements that have taken place by developers?**

As per answer to question 1 above

- 3. Can you send all the relevant documentation relating to any offsetting schemes (preferably as PDFs)? This could include, but should not necessarily be limited to:**

- **Environmental Impact Statements**
- **Any Section 106 documentation relating to the offsetting schemes**
- **Details of long-term management plans**
- **Evidence of current condition of offset sites**
- **Evidence of effect on transported species**

All documentation associated with specific schemes can be found on our website. Please see below for our website address -

<http://rcweb.leicester.gov.uk/planning/onlinequery/mainsearch.aspx>

**4. How much did each individual offsetting scheme cost?**

As per answer to question 1 above

**5. Can you provide any evidence of any monitoring and follow-up assessing the ongoing quality of the offset scheme.**

As per answer to question 1 above

**6. Has your local authority instigated any enforcement action if the offsetting was unsuccessful? What was the outcome of the enforcement for each offsetting scheme?**

As per answer to question 1 above

**7. Does your Local Authority employ an in-house ecologist? If not, how do you get advice on ecological matters in planning?**

The City Council employs a Nature Conservation Officer who advises on the ecological implications of proposed development and recommended enhancements that may mitigate against disturbance should development be considered appropriate.

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Head of Information Governance using the details below.

If you are dissatisfied with the handling of your request please write to:

**Head of Information Governance**  
**Information and Support**  
**Leicester City Council**  
**FREEPOST (LE985/33)**  
**New Walk Centre**  
**LEICESTER LE1 6ZG**  
e-mail: [FOIA@leicester.gov.uk](mailto:FOIA@leicester.gov.uk)

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow SK9 5AF**  
**Telephone: 01625 545 700**  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to Head of Information Governance before contacting the Commissioner.

Yours sincerely



**Lynn Wyeth**  
**Head of Information Governance**