

ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON MONDAY, 13 NOVEMBER 2023

Present:

Councillor Caroline Smith (Chair) (in the Chair)
Councillor Frank Adlington-Stringer (Vice-Chair)

Councillor Neil Baker
Councillor Lilian Deighton
Councillor Fran Petersen

Councillor Graham Baxter MBE
Councillor William Jones

Also Present:

D Thompson	Assistant Director of Planning
S Lee	Assistant Director - Regeneration and Programmes and SIRO
A Bashir	Improvement Officer
T Scott	Governance and Scrutiny Officer
A Maher	Governance Manager

ESC/ Apologies for Absence

19/2

3-24 No apologies for absence were received.

ESC/ Declarations of Interest

20/2

3-24 There were no Declarations of Interest.

ESC/ Minutes of the Last Meeting

21/2

3-24 RESOLVED – That the Minutes of the Environment Scrutiny Committee held on 11 September 2023 were agreed.

ESC/ The Performance Management Framework

22/2

3-24 The Improvement Officer presented a report which gave progress on the strategies underpinning the Council Plan objective 'A great place that cares for the environment' for the period ending 30 September 2023. Information on what the Council had done for the objective was contained in Appendix 1 to the report and would be presented to the Committee quarterly. This was a new way of reporting progress against the Council Plan, with a wider approach seeking contributions from all departments across the performance framework.

Members referred to the mention of the replacement programme for vehicles (74 new vehicles over this year's programme) and were concerned that this appeared to be a move away from battery powered vehicles and emission reduction. Members asked if the tender with the vehicle company included reference to this step away from electronics. The Assistant Director of Regeneration and

Programmes agreed to investigate these points with the officers responsible and report back to the Committee.

Members discussed the Clay Cross Rail Feasibility Study and enquired if any progress had been made. Members were informed that a preferred station location had been identified by the study, and this location was being consulted on with the Department for Transport.

The references in the Appendix to two posts being advertised (Sustainability Officer and Microsoft Teams Engagement Officer) were considered. Members requested to receive further information on these posts at future meetings.

RESOLVED –

- (1) That progress against the Council Plan ‘A great place that cares for the environment’ objective was noted.
- (2) That officers present the Committee at a future meeting with the requested information on the vehicle tender and the two posts being advertised.

ESC/ The Environment Act and Biodiversity Net Gain Requirement

23/2

3-24

The Assistant Director of Planning presented a report informing Members of the implications of the Environment Act 2021 for the Council, and how the Council would meet the Biodiversity Net Gain requirement.

Members were advised that the Environment Act placed specific requirements on Councils to ensure the delivery of biodiversity net gain. Steps the Council had taken to meet this included:

- 1) Discussions with Derbyshire Wildlife Trust about expanding their remit to include an assessment of the biodiversity value of Council-owned land that would not be suitable for development, but may provide opportunities for ecological enhancement through funding secured from developments where sufficient on-site net gain cannot be achieved.
- 2) Beginning a review of the Asset Management Strategy, which will include joint working between Planning and Streetscene to consider (with the specialist input of DWT) the contribution that Council land can make to the enhancement of biodiversity.
- 3) Officers of the Council and the other Districts/Boroughs in Derbyshire were working with Derbyshire County Council to discharge their Derbyshire Local Nature Recovery Strategy duties.

Members discussed instances of developers removing trees from sites without any controls over what they can do. The Assistant Director of Planning stated that the Council was limited in its powers in these situations unless there was a Tree Preservation Order in place or where the site was within a Conservation Area, but the Planning Enforcement team were able to assess potential breaches of conditions on planning permission which required the retention of trees/hedgerows.

The Committee discussed how proposals for larger new developments would be legally required to demonstrate a biodiversity net gain of 10%. Members asked how meeting this target would be monitored and were informed that Section 106 legal agreements (to which planning permissions were tied) would require schemes to be maintained for 30 years.

RESOLVED – That the update be noted.

ESC/ Cabinet Business

24/2

3-24 The Governance Manager presented a digest of Cabinet decisions taken since 29 June 2023. The digest set out key information for each decision.

Members discussed the possibility of monitoring decisions taken by Cabinet that related to the Local Plan. The Governance Manager advised that the notes of the Local Plan Review Group would be reported periodically to Cabinet and to Scrutiny. These notes would be on the open side of the agenda.

RESOLVED – That the update be noted.

ESC/ Work Programme

25/2

3-24 The Governance Manager reminded the Committee that if a Member had a suggestion to add to the Work Programme, they should liaise with the Chair or Vice-Chair of the Committee.

RESOLVED – That the update be noted.

ESC/ Additional Urgent Items

26/2

3-24 None.

ESC/ Date of Next Meeting

27/2

3-24 The next meeting of the Environment Scrutiny Committee was scheduled to take place on 19 February 2024 at 3.30 pm.