

Public Document Pack



**North East
Derbyshire**
District Council

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Date: Friday, 3 November 2023

To: **Members of the Environment Scrutiny Committee**

Please attend a meeting of the Environment Scrutiny Committee to be held on **Monday, 13 November 2023 at 3.30 pm** in the Council Chamber, District Council Offices, 2013 Mill Lane, Chesterfield S42 6NG.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Assistant Director of Governance and Monitoring Officer

Members of the Committee

<u>Labour Group</u>	<u>Conservative Group</u>	<u>Green</u>
Councillor Caroline Smith – Chair Councillor Graham Baxter MBE Councillor Richard Beech Councillor Tony Lacey Councillor Fran Petersen	Councillor Neil Baker Councillor Lilian Deighton Councillor William Jones	Councillor Frank Adlington-Stringer

For further information about this meeting please contact: Tom Scott 01246 217045

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of the Last Meeting (Pages 5 - 9)

To approve as a correct record and the Chair to sign the Minutes of the Environment Scrutiny Committee held on 11 September 2023.

4 The Performance Management Framework (Pages 10 - 15)

To report progress on the strategies underpinning the Council Plan objective - "A great place that cares for the environment" for the period ending 30th September 2023

(Information, Engagement and Performance Manager)

5 The Environment Act and Biodiversity Net Gain Requirement (Pages 16 - 20)

To inform Members of the implications of the Act for the Council and the District and how we are addressing the Biodiversity Net Gain requirement

(Assistant Director of Planning)

6 Cabinet Business (Pages 21 - 28)

To inform Committee of recent and forthcoming Cabinet business.

This is a digest of Cabinet decisions taken since 29 June 2023. This information is published by Cabinet meeting on the Council's web site. Cabinet Agendas, Decisions and Minutes can be viewed at: [Cabinet](#)

The Forward Plan of Executive decisions.

[Plans](#)

These plans are updated to include new business.

(Governance Scrutiny Support)

7 Work Programme

To consider future items for the Committee's Work Programme.

(Governance Scrutiny Support)

8 Additional Urgent Items

To consider any other matter which the Chair of the Committee is of the opinion should be considered as a matter of urgency.

9 Date of Next Meeting

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



**North East
Derbyshire**
District Council

Access for All statement

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ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON MONDAY, 11 SEPTEMBER 2023

Present:

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

Councillor Neil Baker
Councillor Richard Beech
Councillor Tony Lacey

Councillor Graham Baxter MBE
Councillor William Jones

Also Present:

S Lee Assistant Director – Regeneration and Programmes
T Scott Governance and Scrutiny Officer
A Maher Governance Manager
N Clark Director of Property Services & Development (Rykneld Homes)

ESC/ Apologies for Absence **8/23-**

24 Apologies for absence were received from Councillors L Deighton and F Petersen.

ESC/ Declarations of Interest **9/23-**

24 There were no Declarations of Interest.

ESC/ Notes of Last Meeting **10/2**

3-24 RESOLVED – That the Notes of the informal Environment Scrutiny Committee held on 17 July 2023 were agreed.

ESC/ Climate Change Strategy - Overview and Review **11/2**

3-24 With the agreement of the Chair, the order of business on the agenda was revised so that this and the following item could be taken at the start of the meeting.

The Assistant Director – Regeneration and Programmes gave Members a presentation on the current position with the Climate Change Strategy. Committee heard how the Strategy aims to create a District which balances economic prosperity with environmental sustainability, improving the lives of our people and our environment today and in the future. These would be achieved by focusing on:

- **REDUCE** - consumables, energy, travel, waste
- **REUSE** - renewable energy, materials products, equipment

- **RECYCLE** - water, waste, by-products
- **RETHINK** - Doing somethings differently.

Members were reminded that the aims of the Strategy were represented in the key Council Plan priority of 'A great place that cares for the environment'. Achieving this priority would involve:

- The Climate Change Strategy
- Local Plan Review
- Waste Management Strategy
- Grounds Maintenance Strategy
- Biodiversity (BNG) Net Gain Policy/Plan
- Green Infrastructure Strategy
- Fly Tipping Policy

Members heard some of the successes regarding the priority, such as the majority of the Council's electricity now coming through renewable sources, and a number of programmes being completed like the Local Area Delivery (LAD), Social Housing Decarbonisation Fund (SHDF) and Low Carbon Challenge Fund releasing monies to businesses for the Clay Cross Town Deal.

Committee discussed the data in the presentation. As part of this, some Members asked why it was for 2018 rather than for more recent years. The Assistant Director – Regeneration and Programmes explained that officers were reliant on external data from SCATTER (a local authority emissions measurement and modelling tool), and this was the most up-to-date available.

Committee also discussed heat pumps being installed into houses by 2023, and asked if solar panels could be installed in some of them instead. The Assistant Director – Regeneration and Programmes explained that any changes to installations would be down to the flexibility of funding schemes, and because in many cases they were restrictive, this would stop them from being possible at the moment.

Members enquired if community collaboration could be utilised to help install energy units. Committee was informed that this would be difficult to undertake because every community had its own circumstances.

RESOLVED – That the Committee noted the presentation.

**ESC/
12/2** **Exclusion of Public**

3-24 RESOLVED – That the public be excluded from the meeting during the discussion of the following item of business to avoid the disclosure to them of exempt information as defined in Paragraphs 3 & 4, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**ESC/
13/2** **Derbyshire County Council: Draft Tree and Woodland Strategy and Community Forest Proposals**

3-24

The Assistant Director – Regeneration and Programmes gave Members

presentations summarising two Derbyshire County Council documents: the Draft Tree & Woodland Strategy and the Community Forest Proposals.

Members referred to the map in the presentation of the proposed Community Forest area, and asked how many trees this area would include. The Assistant Director – Regeneration and Programmes agreed to investigate the number.

The results of the investigation by the Assistant Director – Regeneration and Programmes are attached as an appendix to these minutes.

RESOLVED – That the Committee noted the presentations.

ESC/ Energy Efficient Homes - Presentation and Discussion

14/2

3-24

The Committee agreed to go into public session at this point.

The Director of Property Services & Development (Rykneld Homes) gave an update on Energy Efficient Home work undertaken by Rykneld Homes to 9 new bungalows at Pine View in Danesmoor.

Members were informed that a range of energy-efficient technology had now been provided to the properties, including extra-wide cavity walls, solar panels and charging points for electric vehicles.

In addition, Rykneld Homes were delivering a number of retrofit programmes of work on existing Council owned homes.

The Director of Property Services & Development (Rykneld Homes) referred to some of the earlier discussions about other energy sources, such as the installation of solar panels. He explained that installing different heating methods (for example Air Source Heat Pumps) in some properties would be challenging due to the nature of the works, and may not be cost effective in all cases.

Some Members enquired about the lessons that had been learnt from this work. The Director of Property Services & Development (Rykneld Homes) emphasised the importance of investment into communication with customers.

The Director of Property Services & Development (Rykneld Homes) agreed to attend future Committee meetings to explain and discuss with the Committee the actions taken to achieve Energy Efficient Homes.

RESOLVED – That the Committee noted the update.

ESC/ Forward Plan of Executive Decisions

15/2

3-24

The Governance Manager presented the Forward Plan of Executive Decisions to the Committee.

The Committee was informed that future updates on the Forward Plan would be provided in a digest style, to identify Cabinet decisions that they could scrutinise further, and how scrutiny of them could contribute to achieving the Council Plan objectives.

RESOLVED – That the Committee noted the update.

ESC/ Work Programme

16/2

3-24 Committee discussed the work programme for its next meeting.

The Governance Manager presented a list of possible items for the next meeting agenda. Members discussed these and agreed that they be included on the agenda for the 13 November 2023 meeting.

RESOLVED - That the Committee agreed to include the suggested items in its Work Programme for the next meeting.

ESC/ Additional Urgent Items

17/2

3-24 None.

ESC/ Date of Next Meeting

18/2

3-24 3.30pm Monday 13 November 2023

ENVIRONMENT SCRUTINY COMMITTEE

APPENDIX TO THE MINUTES OF THE MEETING HELD ON MONDAY, 11 SEPTEMBER 2023

The Assistant Director – Regeneration and Programmes gave Members presentations summarising two Derbyshire County Council documents: the Draft Tree & Woodland Strategy and the Community Forest Proposals.

Members referred to the map in the presentation of the proposed Community Forest area, and asked how many trees this area would include. The Assistant Director – Regeneration and Programmes agreed to investigate the number.

Update from the Assistant Director – Regeneration and Programmes:

“Following a question at Environment Scrutiny, I have been trying to find out how many trees there are in the planned Community Forest area. Unfortunately, there does not seem to be any metric of current trees, with the focus instead on measuring our addition to the tree coverage through the aim to ‘Facilitate the planting of up to 300,000 trees within the Community Forest by March 2025’ in the first phase of activity, which will contribute to ‘Facilitating the planting of up to 1,000,000 trees in Derbyshire by 2030.’

“In more general terms, the Community Forest area is estimated to have a current canopy and woodland cover of 12.5% and the target is to increase this cover to 14.25%, as a contribution to the national increase target of from 14.5% to 16.5% by 2050.”

North East Derbyshire District Council

Environment Scrutiny Committee

**Council Plan Objective – A Great Place that Cares for the Environment -
Update April to September 2023**

13th November 2023

Report of the Information, Engagement & Performance Manager

Classification: This report is public

Report By: Kath Drury, Information, Engagement and Performance Manager

Contact Officer: As above

PURPOSE / SUMMARY

To report progress on the strategies underpinning the Council Plan objective - “A great place that cares for the environment” for the period ending 30th September 2023.

RECOMMENDATIONS

1. That progress against the Council Plan “A great place that cares for the environment” objective be noted.
-

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Significantly Affected</p>	None
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	Details: Ward Members

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.

- A great place that cares for the Environment council plan objective:
- Reducing carbon emissions and pollution across the district
 - Increasing biodiversity across the district

REPORT DETAILS

1 Background

1.1 The Council plan 2023-27 has four objectives:

- A great place to work.
- A great place to access good public services.
- A great place to live well.
- A great place that cares for the environment

Information on progress on what the Council has done for the environment objective is contained at appendix one and will be brought to the committee quarterly.

1.2 Under each objective there are several strategies which prioritise what the Council is setting out to achieve by March 2027. Under each strategy there are specific tactics or commitments that will shape our approach and under those a wrath of activities that in combination will help us to deliver the objectives.

1.3 Under the environment objective there are two strategies - Reduce carbon emissions and pollution across the district and Increase biodiversity across the district. There are five and two tactics under the respective strategies.

2. Details of Proposal or Information

2.1 The appendix lists what has been done and achieved by those service areas with contributions to make for this period. These are noted under each strategy and tactic.

2.2 This is a new way of reporting progress against the Council Plan, and it will evolve over time. This approach is wider and more cohesive seeking contributions from all departments across the performance framework supporting the new plan. Feedback and suggestions from the committee are welcomed.

2.3 The report was taken to Senior Management team on 23rd October 2023 for consideration and oversight.

2.4 No specific concerns or issues have been raised under this objective for this period.

3 Reasons for Recommendation

3.1 This is an information report to keep Members informed of progress against the council plan objective for the environment.

4 Alternative Options and Reasons for Rejection

4.1 Not applicable to this report as providing an overview of progress against the council plan objective for the environment.

DOCUMENT INFORMATION

Appendix No	Title
1	A summary of progress for the Council Plan objective – A great place that cares for the environment – for the period ending September 2023
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	

Council Plan 2023-2027 – A summary of progress by objective for the period ending 30th September 2023

A Great Place that Cares for the Environment

*The following progress has been made on **reducing carbon emissions and pollution across the district**:*

Assist and influence other public partners, residents, and businesses to reduce their carbon emissions.

Advertised the post of Sustainability Officer to co-ordinate the delivery of the Climate Change Strategy in September 2023 (Regeneration & Programmes).

Establishment of the Clay Cross Low Carbon Challenge Fund for businesses and public sector agencies. There have been 9 Expressions of Interests received, 3x £10k projects approved to date. (Regeneration & Programmes)

Completion of the Clay Cross Local Energy Network Strategy/Local Area Energy Plan. and the Clay Cross Rail Feasibility Study. Engaging with Department for Transport and partners to identify opportunities for developing this and access via the proposed Barrow Hill line. (Regeneration & Programmes)

Participated in Clean Air Day to promote and raise awareness of air pollution as part of a national campaign delivered across the UK. In collaboration with Communications, 6 social media posts were made to promote awareness and each post generated between 163 to 359 views which in turn were re-shared multiple times by public promoting the message. Engagement success has led to considering a campaign to tackle specific types of air pollution - Winter wood burners/coal campaign to educate/raise awareness of the impacts on using open fires/wood burners and re-iterate the coal ban in the UK. (Environmental Health)

Energy efficiency advice provided to 21 cases concerning vulnerable households. One case resulted in the installation of a new heating system at nil cost to the vulnerable resident via the Health Homes project. (Environmental Health)

Work has started on arranging branding design to highlight commitment to carbon reduction across our facilities. (Leisure)

Continually reduce the Council's own carbon emissions

Replacement programme for vehicles is ongoing - 74 new vehicles over this year's programme. Also, consultations conducted for 70 new Rykneld Homes vehicles. Currently out to tender for procurement for HGV sweeper and Gully Tanker, one Transit van delivered. Rykneld Homes Fleet potential delays due to availability from vehicle manufacturers in launching new Hybrid/EV models. (Streetscene)

Estates are currently looking at several options to reduce carbon emissions and pollution including EV charging points and Solar Panels at Mill Lane and Coney Green Business Centre. Also, the new Streetscene depot (feasibility currently underway) should be significantly less than the existing facility at Eckington. (Property and estates)

Configured hardware to use energy efficient settings. Continued rollout of Microsoft teams is changing the way we can work collaboratively without the need to be in the

Council Plan 2023-2027 – A summary of progress by objective for the period ending 30th September 2023

same space. Looking to recruit a Microsoft Teams Engagement Officer to drive this forward. (ICT)

Clear desk policy awareness undertaken and encouraged across all services to encourage paperless working. (ICT)

Assist and influence other public partners, residents, and businesses to reduce pollution.

Approved planning permission for a battery energy storage system in Calow. (Planning)

Pollution Control Team dealt with just short of 400 service requests, including over 200 planning consultations on which they gave advice and 15 licensing conditions requests. Dealt with 55 non domestic accumulations, 31 non domestic noise complaints, 11 commercial bonfires and 11 odour complaints. Three Notices were served under the Prevent of Damage by Pest Act 1949 legislation to clear or prevent harbourage from rats and mice, and 5 business premises were inspected to ensure they were in compliance with the IPPC (Integrated Pollution Prevention & Control) regime for their permitted industrial processes. (Environmental Health)

Develop policies and plans which require and encourage alternatives to car usage.

Secure travel plans through conditions on planning permissions for major development e.g., planning permission approved under ref. 22/01071/FL for development at the Coal Yard, Grassmoor. (Planning)

Add conditions to approved schemes seeking climate change mitigation to be included in the final design. (Planning) e.g., compliance with energy reduction measures secured by condition under planning permission ref. 22/00418/FL at Park Lane, Shirland. (Planning)

Directly and with partners and residents, reduce litter and pollution from waste.

Initial meeting held with Derbyshire partners to discuss joint waste strategy. Collaborative working across all districts. Started series of meetings with Parish and Town Councils to understand pressures/opportunities. (Streetscene)

Attach waste management plan conditions on planning permission for major development e.g., refuse storage control secured by condition on planning permission approved under ref. 22/01071/FL for development at the Coal Yard, Grassmoor. (Planning)

34 business waste compliance inspections were carried out across the district to ensure commercial waste is disposed of legally and correctly. Two media campaigns concerning littering have been carried out, including press releases and social media. Also, a high-profile press release on enforcement action taken at West Handley. Two Household Duty of Care Fixed Penalty Notices issued. (Environmental Health)

Council Plan 2023-2027 – A summary of progress by objective for the period ending 30th September 2023

*The following progress has been made on **increasing biodiversity across the district:***

Assist and influence other public partners, residents, and businesses to utilise their assets to improve biodiversity.

Engaging with DCC on the development of the County Tree Strategy and Community Forest Application (Regeneration & Programmes).

Provided formal response to partners about national woodland strategy. (Streetscene)

Including biodiversity enhancements on planning permissions for new development e.g., Land Between 6 & 8 Gables Close, Holmewood. (Planning)

Where appropriate, utilise Council assets to improve biodiversity.

Regarding utilising council assets to improve biodiversity the selection of sites for this purpose will be delivered through the property review process through Asset Management Officer Group / Asset Management Board (AMOG/AMB). Initial meeting already held with colleagues in the Local Planning Authority regarding the Council's obligations for bio-diversity net gain and how we comply. Some council sites are already utilised for this purpose. (Property and estates, Streetscene, Planning)

Work with Derbyshire Wildlife Trust to explore sites with potential for offsite biodiversity net gain (Planning)

As part of the Clay Cross Active-Biodiversity Plan the spoil heap located in front of the new development has been shaped and seeded to create a grassed area which will likely incorporate trees and wild planting later in the project. (Leisure)

North East Derbyshire District Council

Environment Scrutiny Committee

13 November 2023

Implications of The Environment Act and Biodiversity Net Gain Requirements

Report of the Assistant Director for Planning

Classification: This report is public

Report By: David Thompson, Assistant Director of Planning.

Contact Officer: David Thompson
david.thompson@ne-derbyshire.gov.uk

PURPOSE / SUMMARY

To inform Members of the implications of the Act for the Council and the District and how we are addressing the Biodiversity Net Gain Requirement.

RECOMMENDATIONS

1. That Members note the contents of the report.

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details: Resources required to ensure that Council is meeting its obligations under the Environment Act in relation to developing policies and specific objectives for taking action to further the general biodiversity objective and to report on progress.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	District-wide implications.
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	not applicable Details:

Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.
A Great Place that Cares for the Environment

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 The Environment Act of 2021 places specific requirements on developers and duties on Councils to ensure the delivery of biodiversity net gain. Previous legislation focussed on the conservation of biodiversity, the 2021 Act requires the demonstration of positive enhancement.

- 1.2 As of January 2023, public authorities (including Councils) have a duty to “*from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective*”.
- 1.3 The legislation requires public bodies to take a strategic approach to determine policies and specific objectives for taking action to further the general biodiversity objective and to take action in light of these policies and objectives to further the general biodiversity objective.
- 1.4 The 2021 Act also amends the Natural Environment and Rural Communities Act 2006 by making it a Biodiversity Duty to ‘conserve and enhance’ in relation to the council’s wider functions (Section 102). This part of the Act came into force on 1st January 2023. Section 103 requires local authorities to publish biodiversity reports which summarise action taken to comply with the duty along with a summary of the authority’s plans for complying with the duty over a period of five years. As local planning authority it should also include a summary of the action taken on Biodiversity Net Gain (BNG.) The Secretary of State is expected to issue guidance to local authorities on how to comply with the duty within the next few weeks.
- 1.5 Proposals for larger new developments will be legally required to demonstrate a biodiversity net gain of 10% as a result of the scheme from January 2024. For smaller scale developments, the same requirement will apply from April 2024.
- 1.6 In order to reduce initial biodiversity loss as much as possible, the National Planning Policy Framework compels developers to adhere to a ‘mitigation hierarchy’ in their Biodiversity Net Gain delivery options. Biodiversity loss from developments must first be avoided as much as possible and then any impact should be appropriately mitigated on-site. When on-site mitigation is impossible or poses a threat to project viability, developers can purchase Biodiversity Units to compensate off-site.
- 1.7 This report outlines the actions we are taking as a District Council to comply with the above duties and to develop a robust strategy for aiding the delivery of Biodiversity Net Gain, with a particular focus on where this cannot be achieved on a development site.

2. Details of action that the Council is taking.

- 2.1 The Council has a Service Level Agreement (SLA) with Derbyshire Wildlife Trust (DWT) who provide approximately 52 days per annum specialist support to the Council as Local Planning Authority.
- 2.2 Approximately half of this time is spent on the evaluation of Biodiversity Net Gain (BNG) assessments submitted with planning applications and supporting case officers to ensure that a deliverable net gain is secured. Information gathering on the potential biodiversity value of sites is also included, along with Local Wildlife Sites monitoring work are also services provided by the Wildlife Trust.

- 2.3 The current SLA costs the Council approximately £15,000 plus VAT, which officers consider to be an effective use of resources, in lieu of the employment of a full-time ecologist.
- 2.4 Officers are currently in discussions with DWT 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.
- 2.5 The Council is also in the early stages of a review of its Estate (Asset Management Strategy) and part of that review 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, as per the legal duty referred to in paragraph 1.2 above.
- 2.6 Funding for any additional work (which is also subject to DWT capacity) would come from the circa £53,000 grant money that the Council has recently received from DEFRA for work that the Council is undertaking to prepare for BNG becoming a mandatory requirement.
- 2.7 Derbyshire County Council (DCC) have recently been declared as the Responsible Authority for the delivery of the Derbyshire Local Nature Recovery Strategy (LNRS). Officers of this Council and the other Districts/Boroughs in Derbyshire are working with DCC to discharge their duties to agree priorities for nature's recovery, to map the most valuable existing areas for nature and to establish shared proposals for what action they should take to recover nature and where.
- 2.8 The LNRS work is in its very early stages, with the main focus currently on gathering evidence on the Nature Reserves that are on land that is owned by/under the control of the Council. As the Strategy develops, this will become another important resource for developments that need to contribute to off-site net gain in order to meet their legal obligations.
- 2.9 Further work is required to form a database of privately owned land in the District that could be suitable for achieving BNG (working with organisations such as the Environment Bank). This information will allow the Council to deal with planning applications that require off-site BNG expediently.
- 2.10 The evidence that will result from the LNRS work, the completion of the Council's Asset Management Strategy and the review of Council owned land by DWT will inform the Council's Local Plan review and development of a policy that includes a requirement to achieve BNG. This process will also consider the case for requiring a higher level of BNG over and above the 10% mandatory requirement.

2.11 The Council has successfully recruited to the post of Sustainability Officer and the post will be filled from late November 2023. The responsibilities of that post include reviewing, developing, maintaining and monitoring the Council's Climate Change Strategy (CCS) and Action Plan.

2.12 Theme 6 of the CCS relates to Biodiversity and lists the following priorities:

- Develop a wild planting policy for parks and public open space areas where appropriate;
- Review our open space maintenance programme.
- Investigate plant, tree and hedge planting initiatives for longer term biodiversity benefits; and
- Identify opportunities to work with partners on schemes to increase biodiversity.

2.13 Given the above, a key element of the Sustainability Officer's role will be undertaking the monitoring work that will inform the reporting duty referred to in paragraph 1.4 above and joint working with the Planning department will be key to ensuring that this responsibility is met.

3 Reasons for Recommendation

3.1 To ensure that Members are aware of the actions that officers are taking to ensure that the Council is meeting its duties and proactively preparing for Biodiversity Net Gain becoming a mandatory requirement.

4 Alternative Options and Reasons for Rejection

4.1 None relevant.

DOCUMENT INFORMATION

Appendix No	Title
None	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	

DIGEST OF CABINET DECISIONS – ENVIRONMENT SCRUTINY COMMITTEE

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
29 June 2023	Planning/Environmental Enforcement Scrutiny Review	Report of the Previous Administration's Organisation Scrutiny Committee	Non-Key & Open	<p>That Cabinet noted the recommendations of the previous Administration's Organisation Scrutiny Committee, as set out in the review report.</p> <p>That these recommendations be considered as part of the development process for the new Council Plan</p>	To appraise Cabinet of the Scrutiny Committee's review and recommendations.
29 June 2023	Engagement with Business Scrutiny Review	Report of the Previous Administration's Growth Scrutiny Committee	Non-Key & Open	<p>That Cabinet noted the recommendations of the previous Administration's Growth Scrutiny Committee, as set out in the review report.</p> <p>That these recommendations be considered as part of the development process for the new Council Plan.</p>	To appraise Cabinet of the Scrutiny Committee's review and recommendations.
29 June 2023	Leisure Provision for Older Residents Scrutiny Review	Report of the Previous Administration's Communities Scrutiny Committee	Non-Key & Open	<p>That Cabinet noted the recommendations of the previous Administration's Communities Scrutiny Committee, as set out in the review report.</p> <p>That these recommendations be considered as part of the development process for the new Council Plan.</p>	To appraise Cabinet of the Scrutiny Committee's review and recommendations

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
29 June 2023	Adoption of the Revised Statement of Community Involvement (SCI)	Councillor S Pickering - Portfolio Holder for Environment & Place	Non-Key & Open	<p>That Cabinet approved the Officer responses to the representations received to the public consultation on the Draft Revised Statement of Community Involvement (SCI), as set out in the Consultation Statement in Appendix 1 to the report.</p> <p>That Cabinet adopted and brought into effect the Revised Statement of Community Involvement (SCI) in Appendix 2 to the report to replace the current SCI (2014).</p>	To formalise the Council's response to the comments received during the consultation on the draft SCI, and to enable the document to be formally adopted as the Council's Statement of Community Involvement.
29 June 2023	Purchase of Property in North Wingfield	Councillor N Barker – Leader of the Council and Portfolio Holder for Strategic Leadership & Finance	Key & Exempt	That Cabinet endorsed the purchase of the property in North Wingfield to help reduce hotel costs and to safeguard the property and local community.	By acquiring the property, the Council will be able to significantly reduce the use of hotels by its Homelessness Service and the associated costs, whilst also increasing its emergency housing capacity, at a time when pressures on the Homelessness Service are greater than ever before.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
29 June 2023	Housing at North Wingfield (Whiteleas) Development	Councillor N Barker – Leader of the Council & Portfolio Holder for Strategic Leadership and Finance	Non-Key & Exempt	That Cabinet agreed to the proposed change of tenure mix required on the Whiteleas development at North Wingfield.	Developing the vacant Council owned land at Whiteleas supports the delivery of new homes in the District. Changing the mix supports the Council's commitment to the delivery of high-quality affordable housing for rent in the District.
27 July 2023	The Council Plan 2023 - 2027	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership and Finance	Non-Key & Open	That Cabinet recommended to Council to approve the draft Council Plan for 2023 to 2027.	To ensure that the Council's work is carefully planned and structured.
27 July 2023	Five Year Housing Land Supply - Position Statement	Councillor S Pickering – Portfolio Holder for Environment & Place	Non-Key & Open	That Cabinet noted the annual assessment of the five-year land supply of deliverable sites for Housing.	To ensure Members are aware of the Council's latest position on the Five Year Housing Land Supply, prior to publication of the information on the Council's website.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
27 July 2023	Council Plan Targets Performance Update, January to March 2023 (Quarter 4)	Councillor J Barry – Portfolio Holder for Growth & Assets	Non-Key & Open	That Cabinet noted the outturns against the Council Plan 2019-2023 targets.	This was an information report to keep Members informed of progress against the Council Plan targets. This was the last report on performance on the previous Council Plan, and work was ongoing in relation to the new Council Plan performance framework.
27 July 2023	Medium Term Financial Plan - Financial Outturn 2022/23	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non-Key & Open	That Cabinet noted the outturn position in respect of the 2022/23 financial year. That Cabinet approved the proposed carry forward of capital budgets detailed in Appendix 4 totalling £10.783m.	To appraise Cabinet of the Council's financial management during 2022-23, and to enable specific capital budgets to be carried forward into the current financial year.
27 July 2023	Funding to Voluntary and Community Sector Infrastructure Support Organisations - Summary of Outcomes for 2022/23	Councillor J Barry – Portfolio Holder for Growth & Assets	Non-Key & Open	That Cabinet noted the report.	To ensure that the Council maximises efficiencies and outcomes through commissioning voluntary sector organisations to help achieve the Council's Priorities.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
21 Sept 2023	Medium Term Financial Plan: Budget Monitoring Report April-June 2023 (Q1)	Cllr P R Kerry – Deputy Leader and Portfolio Holder for Strategic Leadership and Finance	Non-Key & Open	That Cabinet noted the Quarter One budget monitoring position outlined in the report and detailed in Appendices 1-4 of the report.	The report summarised the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account and Capital Programme.
21 Sept 2023	Establishment of Local Plan Review Working Group	Councillor S Pickering – Portfolio Holder for Environment & Place	Non-Key & Open	That Cabinet recommend to Council at its meeting on 25 September 2023, the establishment of a Local Plan Review Working Group, in accordance with the structure in Option 4 of the report, and the terms of reference detailed in Appendix 1 of the report.	To establish a Local Plan Review Working Group in order to undertake the review of the Local Plan. Based on the benefits and risks assessment of the 4 options, officers were of the view that Option 4 was the most appropriate course of action and struck the best balance. The Member Working Group would provide regular feedback to officers during the Local Plan review process.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
21 Sept 2023	Decision on the Brampton Parish Neighbourhood Plan	Councillor S Pickering – Portfolio Holder for Environment & Place	Non-Key & Open	<p>That Cabinet accepted the Examiner’s report and recommended modifications to the Plan as set out in the Decision Statement at Appendix 1 of the report in their entirety, and that the Plan, as amended, be taken forward to a referendum within the Parish as outlined in the report.</p> <p>That following a successful referendum, if more than half of those voting in the referendum vote in favour of the Neighbourhood Plan, the Managing Director should bring the Neighbourhood Plan into effect ('Made').</p>	The Brampton Neighbourhood Plan has been subject to examination by an independent examiner. The Examiner’s view is that subject to specified modifications the Plan meets the Basic Conditions and other relevant legal requirements. It is considered that, subject to the modifications set out in the Decision Statement, the Draft Neighbourhood Plan would meet the legal requirements and Basic Conditions as set out in legislation, and that the Plan should proceed to Referendum.
21 Sept 2023	North East Derbyshire UK Shared Prosperity Fund Update	Councillor J Barry – Portfolio Holder for Growth & Assets	Non-Key & Open	That Cabinet noted the report.	To note progress of the activity funded by UK Shared Prosperity Fund.
21 Sept 2023	Funding to Voluntary and Community Sector Infrastructure Support Organisations - Summary of Outcomes for 2022/23	Councillor J Barry – Portfolio Holder for Growth & Assets	Non-Key & Open	That Cabinet noted the report.	To ensure that the Council maximises efficiencies and outcomes through commissioning voluntary sector organisations to help achieve the Council's Priorities.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
21 Sept 2023	Clay Cross Town Centre Regeneration Scheme	Councillor J Barry – Portfolio Holder for Growth & Assets	Non-Key & Exempt	<p>That the Council retains legal ownership of the new commercial units and public realm areas that will be developed as part of the Clay Cross Town Centre Regeneration Scheme.</p> <p>That the Council adopts the ongoing management responsibilities of the new commercial business units and the public realm area within the Clay Cross Town Centre Regeneration Scheme.</p> <p>That the Council secures a Planning Approval and then seek further assurance from Derbyshire County Council in relation to their participation in the Clay Cross Town Centre Regeneration Scheme, and if necessary to report this response to Cabinet for further consideration.</p>	The proposals allowed the Council to retain ownership and management control of the asset to ensure the long-term success of the regeneration project.
26 Oct 2023	Equality Plan and Objectives 2023 - 2027	Councillor J Barry – Portfolio Holder for Growth & Assets	Non-Key & Open	<p>That Cabinet approved and adopted the Equality Plan and objectives for 2023-2027.</p> <p>That Cabinet noted the achievements and progress made under the last two years of the previous plan (2019-2023).</p>	To put into place the proposed Equality Plan and objectives 2023-2027, which will provide the framework for implementing the Council's obligations regarding the general and specific equality duties. The proposed Equality Plan and objectives have received broad support.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
26 Oct 2023	Safeguarding Policy and Procedures - Protecting Children and Adults at Risk	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non-Key & Open	That Cabinet approved and adopted the final draft of the Derbyshire-wide policy (Safeguarding Policy and Procedures, Protecting Children and Adults at Risk).	The Derbyshire-wide policy will subsequently replace the current Adult and Child Safeguarding policies. The Policy complies with legislation and provides a framework for Safeguarding.
26 Oct 2023	Purchase of 3 New Build Homes at Woolley Moor	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Key & Exempt	That Cabinet approved the purchase of 3 new build affordable rent homes, recognising the need for affordable housing in this area.	Purchasing these homes will help to meet the housing need in this area, where there is a limited number of homes for rent at affordable levels.