

ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON MONDAY, 9 SEPTEMBER 2024

Present:

Councillor Caroline Smith (Chair) (in the Chair)

Councillor Graham Baxter MBE
Councillor Alex Dale
Councillor Tony Lacey
Councillor Carolyn Renwick

Councillor Richard Beech
Councillor Lilian Deighton
Councillor Fran Petersen

Also Present:

D Thompson	Assistant Director of Planning
K Drury	Information Engagement & Performance Manager
T Scott	Governance and Scrutiny Officer
J Hayden	Senior Scrutiny Officer
T Fuller	Governance Officer
H Fisher	Nature Recovery Advice Manager

ESC/ Apologies for Absence

14/2

3-24 An apology for absence was received from Councillor Frank Adlington-Stringer.

ESC/ Declarations of Interest

15/2

3-24 Councillor Carolyn Renwick advised the Committee of an interest in Agenda Item 5 (Bio-Diversity Net Gain) as a member of Derbyshire County Council's Local Nature Reserve Strategy Advisory Board. This would prevent Councillor Renwick from participation in a vote if it occurred during that Agenda Item.

ESC/ Minutes of Last Meeting

16/2

3-24 RESOLVED – That the Minutes of the Environment Scrutiny Committee held on 29 July 2024 were approved and signed by the Chair.

ESC/ Performance Management

17/2

3-24 The Information, Engagement and Performance Manager presented a report to the Committee summarising progress on the strategies underpinning the Council Plan objective 'A great place that cares for the environment' for the period ending 30 June 2024.

Members enquired if these update reports could include charts to set out the Key Performance Indicators for Environment. The Information, Engagement and Performance Manager explained that these were included in the annual update report for Environment.

RESOLVED – That progress against the Council Plan “A great place that cares for the environment” objective was noted.

ESC/ **Bio-Diversity Net Gain**

18/2

3-24

The Assistant Director of Planning presented a report to inform Members of the action that the Council was taking to comply with its responsibilities under the Environment Act 2021 to further the general biodiversity objective.

The report set out the Council's steps to enhance biodiversity in a report which was approved at Cabinet in January 2024. These steps were:

1. Assess the current state of biodiversity in the District.
2. Produce a Strategic district-wide Action Plan relating to Biodiversity.
3. Review viability of delivering 10% net gain on allocated sites that do not have an extant planning permission.
4. Consider a 'call for sites' for land available in the district for net gain 'offsetting'.
5. Establish a 'bank' of land for biodiversity enhancement where 10% net gain is not possible on a development sites (both Council assets and privately owned land).
6. Participate in the development of the Derbyshire Local Nature Recovery Strategy (LNRS).
7. Consider biodiversity enhancement policies as part of the Local Plan Review.

The Committee welcomed Hollie Fisher from Derbyshire Wildlife Trust to explain the Trust's role in the assessment of the Council and other elements that the Trust was involved in, with specific relation to the bio-diversity net gain action plan.

Hollie Fisher explained that Derbyshire Wildlife Trust were a charity that gave expert climate change advice to local authorities when required, with more recent advice being on bio-diversity net gain.

Members enquired if the DWT engaged with schools. Hollie Fisher responded that DWT's Engagement Teams worked with a number of age ranges.

The Committee asked if DWT would set a baseline for the District relating to the call for sites. Hollie Fisher explained that DWT would be supportive of the setting of baselines and these would be based on current data.

Members discussed the transparency of the call for sites process. The Assistant Director of Planning explained that the call for sites would be advertised, and the aim was to include Council owned land within this process (via Estates and Streetscene).

The Committee deliberated the role of Parish Councils in the process. The Assistant Director of Planning advised that Parish Council engagement was an element that officers needed to consider.

Members asked if there was a mechanism in place to deal with housing developers. The Assistant Director of Planning confirmed there was, and many developers were accepting of the requirements. In addition, the Council built biodiversity into Section 106 Agreements, particularly for large developments.

There was some discussion about the role of agricultural land in the process of delivering Biodiversity Net Gain, and how the credit scheme for offsetting the impact of development sites operated.

The Chair asked why the Council was not aiming for a 20% uplift rather than the 10% uplift that had been stated. The Committee were advised that the 10% was a starting point, and once further work had been undertaken it may be feasible to increase this to 20%, but viability considerations were key to this.

Members asked how biodiversity net loss was determined. Hollie Fisher explained that it was calculated by using a habitat survey and assessed by a metric set by Central Government.

Members referred to a priority set out in the Climate Change Strategy which stated “develop a wild planting policy for parks and public open space areas where appropriate” and agreed that the Assistant Director of Streetscene should be invited to a future Committee meeting to explain this development in detail.

Members also agreed that a representative from Derbyshire Wildlife Trust should be invited again once the next step of the assessment was completed in a year.

RESOLVED – That the Committee noted the report.

ESC/ Cabinet Business

19/2

3-24

The Senior Scrutiny Officer presented a digest of Cabinet decisions taken since the last Committee meeting on 29 July 2024. The digest set out key information for each decision.

The Senior Scrutiny Officer also presented Members with the Forward Plan of Executive Decisions for the period 15 August 2024 – 15 September 2024.

RESOLVED – That the update was noted.

ESC/ Policy Development

20/2

3-24

The Senior Scrutiny Officer informed the Committee that there were no major policies for Members to consider.

Members referred to an issue the Committee had previously considered (Climate Change Action Plan) and asked if there was a set point it would return. The Senior Scrutiny Officer stated that she would find out from the relevant officers and arrange for the Action Plan to come to a future meeting.

RESOLVED – That the update was noted.

ESC/ 'Horizon Scanning'

21/2

3-24

The Senior Scrutiny Officer updated Members on potential significant changes in the Council's operating environment, including changes to national legislation and regulation.

Members raised the waste regulations within the Environment Act 2021 and whether this has been considered. The Senior Scrutiny Officer advised that it was on the list of potential topics to be considered by the Committee, and this could be included on the Work Programme for a future meeting so that the Committee could hear about the implications and what the Council intends to do going forward.

RESOLVED – That the update was noted.

ESC/ Work Programme

22/2

3-24

The Senior Scrutiny Officer presented the draft Work Programme 2024/25 for the Committee to consider.

RESOLVED – That the Work Programme 2024/25 be approved.

ESC/ Additional Urgent Items

23/2

3-24

None.

ESC/ Date of Next Meeting

24/2

3-24

The next meeting of the Environment Scrutiny Committee was scheduled to take place on 11 November 2024 at 3.30pm.