

DURHAM COUNTY COUNCIL

At a Meeting of the Scrutiny Sub-Committee for Looking After the Environment held at the County Hall, Durham on **Monday 18 December 2006** at **9.30 a.m.**

COUNCILLOR CARROLL in the Chair

Members:

Councillors Armstrong, R Carr, Douthwaite, Gray, Holroyd, Manton, Mason, Ord, Stradling and Wade.

Co-opted:

D Easton, K Culverhouse and W Meikle.

Other Members:

Councillors Chaplow and Meir

Apologies were received from Councillors Lethbridge, Priestley, Pye and Young.

A1 Minutes

The Minutes of the meeting held on 18 December 2006 were agreed as a correct record and signed by the Chairman.

A2 Declarations of Interest

There were no declarations of interest.

A3 Items from Co-opted Members

There were no items from Co-opted Members.

A4 The Natural Environment and Rural Communities Act 2006

The Sub Committee received a presentation from Terry Coult, Ecologist, Environment Service about the bio diversity provisions of the Natural Environment and Rural Communities Act 2006.

From the 1st of October 2006 the Natural Environment and Rural Communities Act 2006 creates "Natural England" and places a biodiversity duty on public bodies. Section 40 of the Act states:

"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"

Section 40 replaces and extends Section 74 of the Countryside and Rights of Way Act 2000 which placed a duty on government only. Almost 1000 public bodies covering the following areas are included:

- Planning and development
- Local and Regional Government
- Education/Awareness/Learning
- Resource/Land Use
- Police
- BBC

Two sets of guidance for supporting public bodies are proposed to be published in early 2007. This will cover:

- What is biodiversity
- Why is it important
- What can you do
- Where you can find further guidance

The County Council is ahead of other authorities and already has a "Sustainable Environment Policy" which states that:

"In its development and management of land, the County Council will seek to minimise adverse impacts on, and take opportunities to enhance, biodiversity and the natural environment"

The Sub Committee were advised that guidance is still awaited from DEFRA but it is unlikely that there will be any additional funding provided to implement the new duty. However, it is not thought that the additional costs will be excessive but will require to be embedded into the work that the Authority already undertakes when evaluating development proposals.

In relation to developments on the Durham Heritage Coast it was explained that any development which affected a protected site would need to have an appropriate assessment.

It was suggested that it would be helpful to have an assessment of the implications of the new duty submitted to future meeting of the Sub Committee.

Resolved:

1. That the presentation be noted.
2. That an assessment of the implications of Section 40 of the Natural Environment and Rural Communities Act 2006 be submitted to a future meeting of the Sub Committee.

A5 2nd Quarter Performance Update of 2006/07

The Sub Committee considered a report of the Head of Corporate Policy providing an update on performance for the 2nd quarter of 2006/07 for the corporate priorities and the Best Value Performance Indicators relevant to the corporate aim of Looking After the Environment (for copy see file of Minutes

In relation to the deterioration in the numbers of local bus journeys it was explained that performance is declining nationally.

Resolved:

That the information contained in the report be noted and that subsequent quarterly performance reports be received.