

**Environment and Sustainable
Communities Overview and
Scrutiny Committee**



24 November 2021

Work Programme Update 2021/22

Report of Paul Darby, Corporate Director of Resources

Electoral division(s) affected:

None

Purpose of Report

- 1 The purpose of this report is to provide members of Environment and Sustainable Communities Overview and Scrutiny Committee (ESC OSC) with an updated work programme for 2021/2022 and to set out a proposal to address the recommendations included in the report to Cabinet on 13 October 2021 concerning consideration of whether an Ecological Emergency needs to be declared.

Executive Summary

- 2 The work programme of the ESC OSC was agreed by members of the committee at its meeting on 16 July 2021. Members will recall that the report clearly identified those priority areas within the work programme that would be considered at the formal meetings of the committee and those which would be delivered via briefing reports.
- 3 In addition, it was highlighted at the meeting that a further five meetings of the ESC OSC had been identified from October to May 2022 with a further special meeting to be arranged focusing on integrated transport management.
- 4 Members will recall that during consideration of the work programme members requested that further additional areas were included and that resulted in a refreshed work programme being sent to members of the committee on the 29 July 2021 which included those additional areas identified.

- 5 At County Council on 22 September a question was asked by the Vice-Chair of this committee, Cllr Elmer, that the Council adopt the same approach to an ecological emergency as it had in relation to the climate emergency and consider as to whether a declaration of an emergency needed to be made. The Cabinet Portfolio Holder in response to the question informed Council that he would provide a report to the next meeting of Cabinet in October.
- 6 A report was subsequently submitted to Cabinet on 13 October which recommended that a request be made to Overview and Scrutiny that this focused piece of work is included in the committee's work programme and that an initial report back to Cabinet from Overview and Scrutiny is submitted within a six-month timescale.
- 7 To address Cabinet's request and the recommendations within the Cabinet report, it is proposed that a further two special meetings of the ESC OSC are arranged to ensure that all members of the committee are given the opportunity to be engaged and contribute to this focused piece of work.
- 8 It is also proposed that the consideration by members as to whether an Ecological Emergency is declared is added to the work programme and a revised work programme is attached as appendix two providing detail as to the focus of each meeting.

Recommendation

- 9 That Environment and Sustainable Communities Overview and Scrutiny Committee are requested to:
 - a) Add to its work programme two special meetings to consider information in relation to the decline in natural habitats in County Durham.
 - b) Following receipt of this information, prepare a report to Cabinet setting out its finding and recommendations.

Background

- 10 At its meeting on the 16 July 2021 ESC OSC agreed its work programme for 2021/2022 which included an item coming to a future meeting of the committee in May 2021 providing detail of the work of the Ecological Emergency workstream of the Environment and Climate Change Partnership and any work undertaken by DCC in relation to the decline of natural habitats.
- 11 At a meeting of County Council on the 22 September 2021, Councillor Elmer, Vice Chair of ESC OSC asked if Durham County Council would adopt the same approach to an ecological emergency as it had in

relation to the climate emergency and consider as to whether a declaration of an emergency needed to be made.

- 12 The Portfolio Holder for Environment and Climate Change advised that he would bring a report to the October meeting of Cabinet in response to the question. A copy of the minute from County Council can be found at <https://democracy.durham.gov.uk/mgAi.aspx?ID=51005>

County Durham Landscape

- 13 At a meeting of Cabinet held on 13 October 2021 a report entitled 'Consideration of an Ecological Emergency in County Durham' was considered which set out the complex history the County has had with regard to wildlife and habitat. Once the home of mining and heavy industry, which left a legacy of contamination and landscape degradation, the county has seen significant restoration over recent decades improving habitat and land, water and air quality. This work continues through the activities of the Council and partners. The North Pennine uplands and the Durham Coast and associated Magnesian Limestone Grasslands in particular support rare and threatened species and both have been the subject of considerable conservation effort. This positive progress over decades must be set against the continuing pressures placed on the natural landscape from development and other human activity.
- 14 In addition, the county a number of Sites of Special Scientific Interest (SSSIs). These sites represent the best examples of our national heritage of wildlife habitats, geological features and landforms and there are 91 SSSIs wholly or partly in County Durham.
- 15 Perhaps the most striking example of this work in County Durham is the internationally recognised restoration of the County Durham coastline, which has been transformed as part of the Heritage Coast initiative. The Turning the Tide (TTT) partnership programme consisted of over one hundred projects delivered along the Durham Heritage Coast. The Durham Coast hosts 92% of the total area of para-maritime Magnesian Limestone grassland habitat in Britain and the TTT partnership has recovered over 225ha of land for habitat creation. Such is the success of the programme that much of the area has subsequently been designated as Sites of Special Scientific Interest and National Nature Reserves.
- 16 On a larger scale, the North Pennines AONB Partnership has led the restoration of approximately 16,000ha of peatland in the county over the last 16 years, (as part of restoring an area of peatland over three times the size of Newcastle within the AONB as a whole). This work is

continuing and expanding through the AONB team's leading role in the Great North Bog initiative.

- 17 The County Council, Durham Wildlife Trust, the AONB Partnership, the Heritage Coast Partnership, Rivers Trusts and other bodies are all delivering significant action for nature recovery in the county, with an ever-increasing degree of collaboration.

County Durham Environment and Climate Change Partnership

- 18 The ecological emergency has been recognised by the County Durham Environment and Climate Change Partnership. In November 2020, the partnership reviewed its structure, membership, and governance arrangements as part of a wider partnership review triggered by the revised county Durham Vision 2035 document. As part of this work the potential for a locally declared ecological emergency was recognised and reflected in the partnership structure as one of the principal subgroups to the board. The ESC OSC has included in its current work programme an overview from the Ecological Emergency Sub-Group to come to committee on the 13 May 2021.

Environment Bill

- 19 Any ecological declaration to the Council may choose to make in the future must be in accordance with and take due notice of existing and new legislation, not least the Environment Bill which is entering its final stages.
- 20 Parliament seeks to make provision for improvements to the environment through the Environment Bill which will introduce measures and targets around a range of areas including nature and biodiversity.
- 21 This Bill includes provisions to strengthen the duty on public bodies to conserve and enhance biodiversity, mandate net gains in biodiversity through the planning system, require the preparation and publication of Local Nature Recovery Strategies and Species Conservation and Protected Site Strategies, address illegal deforestation in supply chains through a due diligence system and provide for Conservation Covenants between landowners and responsible bodies.

Declaration of an Ecological Emergency

- 22 On 22 of September 2021 at a meeting of the County Council, a question was raised seeking Cabinet's view on the declaration of an ecological emergency in County Durham. Arguments were presented for both declaring an ecological emergency and preparing an ecological emergency response plan in parallel to the existing climate emergency

response plan, which itself will be refreshed in 2022.

- 23 In response to the question, the Portfolio Holder for Neighbourhoods and Climate Change committed to bring forward a Cabinet report recommending that work is undertaken to make a thorough assessment of the issues pertaining to an ecological emergency declaration particularly in the context of County Durham, including a thorough analysis of the evidence and data available through the work of the Council and others, including ongoing work by the Environment and Climate Change Partnership, alongside an assessment of the potential outcomes of such an initiative.
- 24 The report to Cabinet on the 13 October 2021 recommended that Cabinet requests, that scrutiny includes in its work programme, examination of the evidence base relating to the decline in natural habitats in County Durham and provide an initial report to Cabinet within six months.
- 25 Due to the time limitations involved and the need to provide the opportunity for all members of the committee to be engaged and contribute to this focused piece of scrutiny activity, it is suggested that ESC OSC holds two special meetings to consider the methodology for gathering the necessary information and consider national and local data/information provided, determining as to whether the declaration of an Ecological Emergency is required.
- 26 The Overview and Scrutiny report with key findings and any potential recommendations will be submitted to Cabinet for consideration.

Conclusion

- 27 A lot of work has been done to restore our landscapes blighted by the county's industrial past and we continue to, as all local authorities are required, to have regard to the conservation of biodiversity in the exercising of our functions such as in planning and development control and our estates management. The Council continues to work in partnership with a number of other agencies to try and conserve and enhance biodiversity.
- 28 However, the UK has experienced a decline in species abundance of 13% on average with 15% of species within the UK threatened with extinction and since 1970, the abundance of UK priority species has

declined by 60%.¹ Of the G7 countries, the UK is at the very bottom in terms of how much biodiversity survives.²

- 29 The Environment and Sustainable Communities Overview and Scrutiny has been asked as the relevant scrutiny committee to examine the data available and to make recommendations to Cabinet on the utility in declaring an ecological emergency for County Durham as the Council has done in declaring a climate emergency.
- 30 Members will be aware of the updated work programme that can be found at appendix two and the proposed actions to address the request from Cabinet.

Background papers

- County Council 22 September 2021
- Cabinet 13 October 2021

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¹ Hayhow et al, The State of Nature 2019. The State of Nature Partnership 2019

² The Natural History Museum, UK in the relegation zone for nature, reveals Natural History Museum and RSPB, accessed 27 April 2021

Appendix 1: Implications

Legal Implications

Not applicable

Finance

Not applicable

Consultation

Not applicable

Equality and Diversity / Public Sector Equality Duty

Not applicable

Human Rights

Not applicable

Climate Change

Not applicable

Crime and Disorder

Not applicable

Staffing

Not applicable

Accommodation

Not applicable

Risk

The Overview and Scrutiny work programme is an important element of the Council's governance and risk management arrangements.

Procurement

Not applicable