

DURHAM COUNTY COUNCIL

Environment and Sustainable Communities Overview and Scrutiny Committee

At a meeting of the **Environment and Sustainable Communities Overview and Scrutiny Committee** held in **Committee Room 2, County Hall, Durham** on **Friday 24 November 2023** at **9.30 am**

Present:

Councillor B Coult in the Chair

Members of the Committee:

Councillors J Elmer (Vice-Chair), P Atkinson, L Brown, R Crute, D Nicholls, J Purvis, A Reed, P Sexton, A Simpson, T Stubbs, D Sutton-Lloyd and S Townsend.

1 Apologies

Apologies for absence were received from Councillors E Adam, C Lines, I MacLean and from Co-opted Member, Mr P Walton.

2 Substitute Members

There were no substitute members in attendance.

3 Minutes

The minutes of the meeting held on 5 October 2023 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Items from Co-opted Members and Interested Parties

No items were reported from co-opted members and interested parties.

6 Local Nature Recovery Strategy

The Committee considered the Local Nature Recovery Strategy update report of the Corporate Director of Neighbourhoods and Climate Change presented by Stuart Priestley, Principal Ecologist (for copy, see file of minutes).

The Principal Ecologist explained that the Environment Act 2021 made the preparation of Local Nature Recovery Strategies (LNRSs) a statutory requirement. 48 local authorities were appointed as LNRS responsible authorities and Durham County Council was appointed one of the four responsible authorities in the North East region. An LNRS is a spatial strategy for nature conservation at a county level comprising of two parts, a mapping exercise to define where resources should be prioritised and a statement of priorities to identify priority habitats and species, together with associated actions and targets. In addition to prioritising nature recovery, the LNRS will influence other areas of work such as planning and development; the promotion of health and wellbeing; future investment for nature recovery and the identification of locations for nature-based solutions to climate change.

The Principal Ecologist informed the Committee that whilst the initial regulations and guidance on the LNRS were provided by Defra in March, guidance on policy and delivery mechanisms was ongoing. Work to date had focused on engaging with the Local Records Centre, creating links with government agencies and establishing a Regional Steering Group which includes representatives from the four regional LNRSs, to share information and ensure cross boundary opportunities were incorporated into the strategy. In addition, work had commenced on the development of the consultation process.

The Committee noted the consultation was a two-stage process, the first stage would be used to inform the writing of the LNRS, to be followed by consultation on the draft LNRS. The first stage aimed to identify locations currently valued for nature; locations that consultees believed could be improved for nature and groups of habitats and species which should be prioritised. Colleagues in the Council's consultations and GIS teams were helping to develop the consultation, in conjunction with members of the Ecological Emergency Board. The Ecological Emergency Board had produced a draft list of consultees which was to be refined at a meeting of the Regional Steering Group.

It was recognised that various engagement approaches would be necessary. A schools engagement process was being developed alongside the Children and Young People's Service and initial conversations had been held with regard to consultation with developers and ecological consultancies. All residents of County Durham will be consulted at both stages of the process. The consultation and the dedicated LNRS website would be promoted via Durham County Council's website, social media and the County Durham News publication.

The four regional LNRSs had agreed that the Environmental Records Information Centre for the North East of England (ERIC) was best placed to deliver the local habitat map. This would assist the regional LNRSs to establish links across boundaries.

The Principal Ecologist concluded the presentation by highlighting that the developing LNRS will link with the Council's Ecological Emergency Action Plan, through the Ecological Emergency Delivery Plan Group which included representation from a member of the Ecology team who is leading on the LNRS work.

The Chair asked whether there was scope for the Committee to have input into the public consultation. The Principal Ecologist agreed to provide the draft version of the online consultation, for circulation to the Committee for feedback to be provided, prior to the public consultation commencing. He caveated that the public consultation questions would be broad, however, members of the public who wished to have greater input would be able to do so as a contact email address will be provided. The Principal Ecologist confirmed that the consultation process will include elected members.

Councillor Stubbs asked what steps would be taken to ensure the consultation is representative and whether any education and engagement with the public will be carried out, prior to the consultation. The Principal Ecologist highlighted the aim is to reach as many residents as possible through various mechanisms, including social media platforms, by publicising the LNRS and why it is important, on the Council's website, awareness raising through local town and parish councils and by encouraging elected members to publicise the consultation through their networks.

In response to a comment from Councillor Stubbs regarding the balancing act to be achieved between protecting the natural environment and encouraging public participation, the Principal Ecologist acknowledged that the LNRS, as a county-wide spatial document, will need to consider competing demands and ensure the correct course of action is taken in each location.

Councillor Elmer expressed the view that the public will be vital to the success of the strategy as their views will help to inform various aspects of the strategy such as the key locations. He commented on the importance of identifying practical constraints, for example, plans for land which is valuable for development may conflict with plans under the LNRS and therefore negotiations may be necessary. The Principal Ecologist highlighted that whilst similar work to that of the LNRS had previously taken place, the LNRS differed in that it involved public and private sector finance, therefore it provided levers to change established land management practices for greater environmental benefit.

Councillor Sutton-Lloyd referred to an ecological project in Newton Aycliffe and he echoed the comments regarding the importance of public and partnership engagement which had played such a big part in the success of the project. The Principal Ecologist responded that learning from projects such as that described by Councillor Sutton-Lloyd would assist to better understand the mapping process, particularly within urban environments.

Referring to the Defra ringfenced funding Councillor Sexton asked how the funding was allocated to the responsible authorities and what the approach to the strategy would be. The Principal Ecologist explained that the allocation of funding provided for slight variations in the amount allocated to each area, based on the size of the authority. Pilots were undertaken in the four regional areas and whilst each responsible authority will tailor their approach, Defra had set out a strict framework for authorities to work within. Councillor Sexton asked whether there would be scope within the strategy to address blights on the environment such as fly-tipping, the use of quad bikes and invasive tree species. The Principal Ecologist clarified that the consultation aimed to identify pressures such as those mentioned by Councillor Sexton and the LNRS would recognise pressures and, if deemed significant enough, would promote actions to address them.

Councillor Elmer highlighted that whilst the LNRS sought to investigate the decline of natural systems and identify how they can be recovered, it also provided an opportunity to link with the work of the Ecological Emergency Response Plan, to develop actions to promote nature conservation. The Principal Ecologist noted the commonality in the two pieces of work and that the LNRS would help to inform the public on nature conservation and related issues. Councillor Elmer suggested that metrics to monitor the progress of the LNRS may also help to measure the success of the Ecological Emergency Response Plan. The Principal Ecologist replied that metrics would need to be developed with regard to priority habitats and species and it was proposed to establish sub-groups for that purpose. He added that reviewing and updating the strategy will be a core part of the role of the responsible authority and the Secretary of State for Environment, Food and Rural Affairs will announce the review frequency of LNRSs, which is likely to be approximately three to five years.

Councillor L Brown joined the meeting at approximately 10.00 am.

In response to a question from the Chair, the Principal Ecologist commented that devolution may have an impact on finances and resources for the LNRS in the future. The Chair concluded the discussion, stating that it was clear from the comments made that the Committee was committed to assisting in the work to progress the LNRS.

Resolved

- a) That the contents of the report be noted.

Further to the discussion at the meeting, the following additional recommendation was agreed:

- b) That the Environment and Sustainable Communities Overview and Scrutiny Committee be engaged in both of the proposed consultation stages planned for the LNRS and that, following the meeting discussions are held with the Service Grouping to ensure arrangements are made for both stages of the consultation to be included in the Committee's future work programme.

7 Ecological Emergency Delivery Plan

The Committee considered the Ecological Emergency Update report of the Corporate Director of Neighbourhoods and Climate Change which provided a progress update on the Ecological Emergency Action Plan (EEAP). Steve Bhowmick, Environment and Design Manager was welcomed to the meeting to deliver the report and presentation (for copy, see file of minutes).

The Environment and Design Manager introduced the presentation by referring to the government's recent publication of the State of Nature report which found that almost 20% of the 10,000 species in Great Britain were at risk of extinction. Durham County Council had recognised the pace of decline by declaring an Ecological Emergency which would be taken forward by way of an Ecological Emergency Action Plan (EEAP) to identify how Council services should respond to the issue. At its meeting on 14 December 2022, Cabinet received an initial EEAP outlining the Council's activity in response to its declaration of an ecological emergency. The Cabinet report and the initial EEAP was referred to the Environment and Sustainable Communities Overview and Scrutiny Committee in January 2023 and it was agreed that the committee would regularly monitor progress with Cabinet also receiving progress updates commencing with a six monthly update.

The Environment and Design Manager emphasised the plan was being driven by senior management commitment and a detailed cross service review of key services which influence the Council's interests in the natural environment had been conducted. This led to the identification of areas for action, resource implications and the monitoring of ongoing progress. The Environment and Design Manager pointed out that delivery of the EEAP was to be within current resources and he outlined the three key themes under which outputs would be delivered, namely Land Management, Education, Awareness and Communication and Policies and Strategies.

In terms of land management, the Environment and Design Manager described that this would involve understanding the condition of designated sites, the management of pressures on key sites and the production of a strategy for a single approach to encourage biodiversity across the county.

Education and awareness would be vital to encourage partners and stakeholders to engage in the process and the Environment and Design Manager referred to actions to promote change of land management practices, such as working with developers with regard to biodiversity net gain and investigating the viability of using Council land for 'green' uses. There was also an opportunity to promote the agenda through established initiatives including the Climate Emergency Response Plan.

In terms of policies and strategies, the Environment and Design Manager spoke of the importance of connecting with the development of the LNRS. In addition, work was underway to ensure procurement methods address the ecological emergency principles and discussions had been held with Legal and Democratic Services to consider the addition of ecological implications in the standard implications to be taken into account when making decisions.

The Environment and Design Manager concluded by noting the good progress of the plan to date with new ecological based practices being adopted and areas of action being progressed across services. He thanked members for their input and highlighted that members have a key role in educating local communities on the importance of ecology and the declaration of an ecological emergency and encouraged members to attend future training sessions.

Councillor Sexton left the meeting at approximately 10.30 am.

Councillor Townsend spoke in favour of including the ecological impact in the standard implications appendix as the issue had been raised a number of times at meetings of the Children and Young People's Overview and Scrutiny Committee, that education establishments invariably have an ecological impact, however this heading was not included within the implications appendix to committee reports.

Councillor Stubbs was concerned at the lack of additional funding and he asked if it was possible to evidence that actions taken since the declaration of the Ecological Emergency were providing value for money. The Environment and Design Manager highlighted actions taken by the Clean and Green team, such as changes to grass cutting regimes and the types of product used to manage land, which were making a difference. The Principal Ecologist pointed out that value for money was difficult to quantify and metrics were being considered to measure improvements gained by actions taken.

The Chair commented on the importance of the Council publicising actions that were having an impact and the Environment and Design Manager agreed and gave the example of providing information as to how woodland planting was helping to mitigate the adverse effects of climate change.

Councillor Elmer observed that metrics cross cut the LNRS and EEAP areas of work and that it was essential to have a system of metrics to measure change. He highlighted areas of work that the Council had been involved in which had been effective, for example, the peatland restoration project. Councillor Elmer commended the work done thus far however he pointed out that the current action plan failed to address some areas including ecological considerations with regard to landscape design, that decisions made by Corporate Property and Land should factor in biodiversity needs, that procurement and investment should consider the impact on natural systems and the plan should also include work with strategic partners to address county wide issues, such as water pollution.

The Environment and Design Manager gave the view that the increasing profile of the plan was beginning to effect change. He informed the Committee that an officer group had been established, the Land Use Change group, which aims to discuss issues relating to renewables, water issues, woodlands and biodiversity with the Regeneration Investment Team. He also highlighted that Durham County Council is part of the Wear Catchment Partnership which is helping to identify locations of water failure with the Environment Agency.

Councillor Crute spoke of the good progress made within the existing resources, however, he was concerned that future progress of the actions under discussion would be significantly impacted if further resources were not made available. Councillor Crute further highlighted that the government's Autumn Statement indicated further public service funding cuts which could impact the existing resources. He stressed the importance of maintaining the momentum and ensuring the Ecological Emergency remains a priority in the uncertain political landscape.

The Chair agreed and suggested that the Committee demonstrate its commitment to tackling the ecological emergency by writing to Cabinet to request clarification on the funding plans. Councillor Crute added the ecological emergency theme cuts across all Scrutiny Committees and it was therefore important for all Scrutiny Committees to continue to discuss the issues. Councillor Stubbs suggested that when writing to Cabinet, the question should include details of the actions taken so far, within existing resources. The Chair proposed that arrangements be made for a draft letter from the Committee to be sent to the relevant Cabinet Portfolio Holder and that the issue of the ecological emergency should continue to be raised at Scrutiny meetings.

Councillor Brown raised concern at the use of standard planting lists and the importing of plant species which may bring pathogens. The Environment and Design Manager highlighted that new policies such as the Tree Management Policy include measures to improve biosecurity.

Councillor Elmer referred to the pilot projects which had been initiated to change maintenance regimes to attract longer grasses and he expressed disappointment that the number of sites had reduced, due to the reluctance of residents to accept the new regimes. Councillor Elmer said he would like to see members being more proactive and encouraging residents to embrace the change. He pointed out that in order to do that, members needed to be well informed, to help residents appreciate the value of the work and he added that he would like to see further training for members in respect of the Ecological Emergency Response Plan. The Environment and Design Manager stressed that the support of members was crucial however attendance at recent training sessions had been low. He suggested members may appreciate other approaches to training, for example online training.

The Chair highlighted that monitoring was being carried out in relation to attendance of members at various sessions and the issue will be picked up at the Chair and Vice-Chair's meeting.

Councillor Sutton-Lloyd observed that the discussion had returned to the importance of informing and engaging the public and he referred to the success of the small appliance recycling project at his local community centre and the amount of comments from residents using the facility who were previously unaware that the items could be recycled.

Councillor Townsend commented on time constraints and diary conflicts which make it difficult for members to attend all meetings and training sessions to which they are invited. She added that she would welcome more online training and she would also like to see the Council recording meetings and training sessions which would enable members to catch-up when they have missed sessions due to other commitments.

Resolved

- a) That the progress to date of the Ecological Emergency Response Action Plan be noted.
- b) That a further progress update on the Ecological Emergency Response Action Plan be presented to a future meeting of the committee as part of the 2024/25 work programme.

Further to the discussion at the meeting, the following additional recommendation was agreed:

- c) That a letter be sent to the relevant Cabinet Portfolio Holder detailing the Committees concerns regarding the future funding arrangements and the potential impact on the delivery of actions within the Ecological Emergency Response Action Plan.

8 Environment and Climate Change Partnership Minutes of the Partnership Board Meeting held on 12 September 2023

The chair presented the minutes of the Environment and Climate Change Partnership Executive Board Meeting held on 12 September 2023, for information.

9 Such other business

Members were reminded that an informal information session will be held on Monday 27 November 2023 focusing on fuel poverty. In addition, a Special meeting of the Committee will be held on 20 December 2023, to consider library provision and the strategic leisure framework.