

Minutes of a meeting of the Environment and Climate Change Overview and Scrutiny Committee held at County Hall, Glenfield on Wednesday, 7 June 2023.

PRESENT

Mr. G. A. Boulter CC
Mr. N. Chapman CC
Mr. M. Frisby CC
Mr. D. Harrison CC

Mr. Max Hunt CC
Mrs. R. Page CC
Mrs B. Seaton CC

In attendance

Mr. B. L. Pain CC – Cabinet Lead Member for the Environment and Green Agenda.

1. Appointment of Chairman.

RESOLVED:

That Mr. M. Frisby CC be appointed Chairman for the period ending with the date of the Annual Meeting of the County Council in 2024.

Mr. M. Frisby CC in the Chair

2. Election of Deputy Chairman.

RESOLVED:

That Mr. D. Harrison CC be appointed Vice Chairman for the period ending with the date of the Annual Meeting of the County Council in 2024.

3. Minutes of the previous meeting.

The minutes of the meeting held on 2 March 2023 were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

5. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. Urgent items.

There were no urgent items for consideration.

7. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr. M. J. Hunt CC declared an Other Registerable Interest in agenda item 11: Local Nature Recovery Strategy and Responsible Authority Status as he was part owner of a wildlife area in Loughborough.

8. Declarations of the Party Whip.

There were no declarations of the party whip in accordance with Overview and Scrutiny Procedure Rule 16.

9. Presentation of Petitions.

The Chief Executive reported that no petitions had been received under Standing Order 35.

10. Biodiversity Enhancements in Leicestershire Country Parks

The Committee considered a report of the Director of Corporate Resources which provided an update on the ongoing work to improve the biodiversity of Leicestershire Country Parks. A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

Arising from discussions the following points were noted:

- (i) The Country Parks were maintained by a team of rangers, supported by over 100 volunteers. Details of volunteering opportunities were listed on the Leicestershire Country Parks website. There were specific volunteer days for each country park and bespoke volunteering opportunities for people with particular skills.
- (ii) Country Parks would be an important part of the County Council's Local Nature Recovery Strategy work and the Environment Act 2021 presented further opportunities for enhancing the Country Parks.
- (iii) The County Council received a small amount of income from selling timber from trees at the Country Parks. A member raised concerns that the Government had been considering banning woodburning stoves which could have an impact on the income the County Council received from timber. In response members were reassured that the Government had confirmed that woodburning stoves were not to be banned in the next few years. It was further emphasised that the priority of the County Council with regards to woodland management was to improve biodiversity rather than make money.
- (iv) In previous years the County Council had been pursuing a policy of handing over the management of smaller sites to Wildlife Trusts or other voluntary groups. The County Council maintained contact with these organisations and offered them assistance with managing the sites. However, the Country Parks and Open Spaces Strategy 2019-2029 did not indicate that any further sites would be divested to other organisations.

RESOLVED:

That the update on the ongoing work to improve the biodiversity of Leicestershire Country Parks be welcomed.

11. Local Nature Recovery Strategy and Responsible Authority Status.

The Committee considered a report of the Director of Environment and Transport which advised of the new statutory duty that had been placed on local government in relation to Local Nature Recovery Strategies (LNRS), and of the appointment of Leicestershire County Council as the 'responsible authority' for the LNRS that would cover Leicestershire, Leicester and Rutland (LLR). A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

In presenting the report the Director clarified that the expected formal letter from the Department for Environment Food and Rural Affairs (DEFRA) notifying that Leicestershire County Council was to be the responsible authority for LLR had not yet been received. Nevertheless, it was not expected that there would be any changes to the proposals and the County Council had already begun carrying out the required work including starting the process for recruiting a project manager.

Arising from discussions the following points were noted:

- (i) As the responsible authority duty was set out in the Environment Act 2021 it could be enforced and legal action could be taken against a local authority for not complying with the duty.
- (ii) So far DEFRA had only provided funding for the first two years for the development of the LNRS. Details were awaited from DEFRA regarding what further funding would be provided. When the County Council had raised the matter with them DEFRA had explained that at the current time they could only confirm funding up until the end of the current parliament. There was some reassurance in that the Government had a policy of not giving local authorities new burdens without additional funding.
- (iii) Whilst enhancing biodiversity was the main aim of the LNRS, other environmental benefits were expected to be gained by the work such as tackling climate change, reduction of carbon emissions and improving air and river quality.
- (iv) The LNRS would be written at a strategic (landscape) level and would set out the priorities and proposed measures across the geography. The exact contents of the Strategy could not be pre-empted as consultation with stakeholders still needed to take place. The legislation did not require the County Council to develop an action plan, only a strategy, but the logical next step was to produce an action plan therefore the County Council would be creating one. Further detail around the LNRS work would be found in the action plan.
- (v) As part of the duty the County Council was required to engage with stakeholders including landowners and farmers. Farmers were being encouraged to move towards more sustainable farming practices. They would receive separate funding from DEFRA to replace that which they previously received through the Common Agricultural Policy. The County Council was working with its own farms through the property department. On 30 June 2023 the County Council was holding an

information event designed to provide partners, landowners and other stakeholders with information about the LNRS work. There would also be a private briefing for County Council members on 20 June 2023.

- (vi) The Government was in the process of revising the planning process and part of this was to better align the process with the nature recovery work. It was intended that Local Nature Recovery Strategies would guide where the biodiversity enhancement work takes place. Local plans would have to take account of Local Nature Recovery Strategies and there was a duty on local planning authorities to have regard to the Strategies when making planning decisions. Local Authorities would also have to take account of the Strategy when managing their own land. However, in the meantime whilst the Strategies were in development, decisions about biodiversity netgain were already being taken so the Government was expected to produce guidance on how this should be managed in the interim period.
- (vii) The monitoring of land passed from housing developers to management companies would not form part of the LNRS work. Instead, this would be part of enforcement work carried out by planning authorities. However, the County Council would be engaging with planning authorities as part of the LNRS work.
- (viii) Spatial strategies produced as part of the LNRS work would map the most valuable existing nature areas. The starting point for this work would be locations that had already been identified as valuable with regards to nature such as Sites of Special Scientific Interest and other designated local wildlife sites. Subsequently, engagement would take place with landowners to identify other sites. An interim LNRS Steering Group had been established which comprised of officer representation from all the local authorities in LLR, the Environment Agency, Forestry Commission, and the National Forest Company. The Steering Group would be making the final decisions on which sites would be prioritised. A member raised concerns that this decision-making process could be subjective and undemocratic.
- (ix) In the past the Common Agricultural Policy had encouraged farmers to remove hedgerows by offering subsidies to make fields larger. However, it was now acknowledged that this had been a mistake and measures were being put in place to ensure hedgerows were retained and replanted.

RESOLVED:

That the new statutory duty placed on local government in relation to Local Nature Recovery Strategies, and the appointment of Leicestershire County Council as a 'responsible authority', be noted.

12. Dates of future meetings.

RESOLVED:

That future meetings of the Committee take place on the following dates all at 2.00pm:

Thursday 14 September 2023;
 Thursday 2 November 2023;
 Thursday 25 January 2024;
 Thursday 14 March 2024;

Thursday 13 June 2024;
Thursday 12 September 2024;
Thursday 14 November 2024.

13. Exclusion of the Press and Public.

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

Scrutiny Review Panel - Recycling and Household Waste Sites.

14. Scrutiny Review Panel - Recycling and Household Waste Sites.

The Committee considered an exempt report of the Scrutiny Review Panel regarding Recycling and Household Waste Sites. A copy of the report, marked 'Agenda Item 15', is filed with these minutes.

RESOLVED:

That the Committee supports the findings of the Scrutiny Review Panel and refers the recommended actions to the Cabinet for consideration at its meeting on 23 June 2023.

2.00 - 3.35 pm
07 June 2023

CHAIRMAN