

Public Document Pack



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Environment Scrutiny Committee

Wednesday 29 November 2023

6.00 pm

Third Floor, Southwater One, Southwater Square, Southwater Way,
Telford, TF3 4JG

Democratic Services: Sam Yarnall 01952 382193

Media Enquiries: Corporate Communications 01952 382406

Committee Members: Councillors M Boylan (Chair), P Davis (Vice-Chair),
T L B Janke, I Preece, H Morgan, T J Nelson and H Rhodes

	Agenda	Page
1.0	Apologies For Absence	
2.0	Declarations Of Interest	
3.0	Minutes of the Previous Meeting	3 - 12
	To confirm the minutes of the meetings held on 28 February 2023 and 14 September 2023.	
4.0	Biodiversity Net Gain	13 - 18
	To receive an update on Biodiversity Net Gain.	
5.0	River Pollution	To Follow
	To receive a presentation from Severn Trent and the Environment Agency on river pollution.	

6.0 Work Programme Review

19 - 22

To review the updated work programme for the Environment Scrutiny Committee.

7.0 Chair's Update

If you are reading these papers on an electronic device you have saved the Council £15.22 and saved 6.1kg of CO₂, based on average agenda printing costs for the 2022/23 municipal year.

ENVIRONMENT SCRUTINY COMMITTEE

Minutes of a meeting of the Environment Scrutiny Committee held on Tuesday 28 February 2023 at 6.00 pm in The Telford Room, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT

Present: Councillors G C W Latham-Reynolds (Chair), M Boylan and T L B Janke.

Also Present: Councillor C Healy

In Attendance: E Cantillion (Shropshire Good Food Partnership)
F Mercer (Director: Communities, Customer and Commercial Services)
R Phillips (Service Delivery Manager: Legal & Democracy)
K Robinson (Democracy Officer (Scrutiny))
J Roquette (Shropshire Good Food Partnership)
I Wykes (Team Leader: Climate Change & Sustainability)

Apologies: Councillors G H Cook, T J Nelson and G L Offland

ENVSC61 Declarations of Interest

None.

ENVSC62 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 22 November 2022 be confirmed and signed by the Chair.

ENVSC63 Shropshire Good Food Partnership Briefing

Members received a presentation from Jenny Roquette of the Shropshire Good Food Partnership.

The presentation set out the work of the Partnership, discussed Food Systems Thinking and actions taken locally, and next steps for the Partnership and Council.

The Partnership's mission was to bring together people, groups, and organisation to create a food system that was good for people, place, and planet, improving access to affordable nutritious food, creating lively communities, and aiding the shift to net-zero.

Established at the end of 2021, the Partnership had started out scoping the existing situation and considering how it could add value to discussions and policy around food. It was comprised of a small team but was growing thanks

to project specific funding; an example given was that resources from the Telford and Wrekin Climate Fund had allowed the organisation to grow.

There were a number of working groups led by the Partnership, these engaged people on various specific areas within food systems such as growing local, sustainable food economies, wise land stewardship, and reducing food waste. As a whole, the working groups were made up of over 60 organisations and in excess of 120 individuals.

Shropshire Good Food Partnership took a systems- and place- based approach to its work to encourage farm to fork eating. The Partnership viewed issues through a food system lens, considering how food was enmeshed with society and culture and seeking to find how best to engage people and for what impact. With around 30% of greenhouse gas emissions coming from the food system, this was one of the key areas for adaptation and mitigation of climate change in.

The Partnership outlined a number of pieces of their project areas. These included local actions such as a Good Food Charter; work on the local food economy and land stewardship, reducing food waste, and healthy food for all including growing local and boosting peoples' connection to nature.

In addition, the organisation undertook partnership work with a variety of partners including Telford & Wrekin Council.

Future actions included, the Good Food Trail, Good to Grow Day, and the Marches Real Food & Farming Conference with Harper Adams University.

A discussion followed the presentation.

Members noted the importance of education in driving positive change in terms of the climate agenda, both for children and adults. Discussion focussed on teaching, enabling, and supporting people to grow their own food. The Committee also spoke of the need to show the cycle of food through to their plates.

Following on from this, Members discussed access to growing spaces across the Borough and how these can be improved and formalised – from allotments to small patches on public land.

It was suggested that Members could be appointed to the Shropshire Good Food Partnerships advisory group. This was to be investigated.

Members requested an update from the Partnership in twelve months' time. The Committee also wished to receive an item focussing on the Council's catering team and their procurement practices.

ENVSC64 Chair's Update

None.

The meeting ended at 7.09 pm

Chairman:

Date: Wednesday 21 June 2023

This page is intentionally left blank



ENVIRONMENT SCRUTINY COMMITTEE

Minutes of a meeting of the Environment Scrutiny Committee held on Thursday 14 September 2023 at 6.00 pm in Walker Room, Meeting Point House, Southwater Square, Telford, TF3 4HS

Present: Councillors M Boylan (Chair), P Davis (Vice-Chair), H Morgan, T J Nelson and H Rhodes

In Attendance: F Mercer (Director: Communities, Customer and Commercial Services), A Allen (Project Support Officer: Climate Change and Sustainability), K Fisher (Lead Lawyer: Children & Adults), L Hicks (Group Catering Manager), I Wykes (Team Leader: Climate Change and Sustainability) and S Yarnall (Democracy Officer (Scrutiny)).

Apologies: Councillor T L B Janke

ENVSC7 Declarations of Interest

None.

ENVSC8 Minutes of the Previous Meeting

Following the recent local elections, there were fewer Members who had previously sat on the Environment Scrutiny Committee who continued to sit on Environment Scrutiny Committee for the municipal year 2023/2024. The minutes of the 28 February 2023 meeting were deferred to the next meeting of the Committee to allow for greater attendance from previous Members for confirmation.

RESOLVED – that the minutes of the meeting held on 21 June 2023 be confirmed and signed by the Chair.

ENVSC9 Work Programme Review

The Democracy Officer (Scrutiny) presented the Environment Scrutiny Committee for the municipal year 2023/24 to the Committee. This provided an update on what was scheduled on the work programme for the remainder of the municipal year as well as a summary of the outcomes from the work that the Committee had completed.

ENVSC10 Corporate Catering – Role in Net Zero



The Group Catering Manager provided an update on Corporate Catering to the Committee. The objectives were summarised to be focused on how best to support sustainability and supporting climate change within the catering offered within schools.

At the time of the meeting there were 55 schools and 5 nurseries that the Council cater for, this accounted for 3,000 meals of children not on free school meals and 4,000 for those on free school meals. There were 254 caterers employed and 50 of the catered schools achieved a 5 star rating. The team worked to promote more eco-friendly measures for food waste such as replacing the refuse bags with eco-friendly ones. Some of schemes implemented including the introduction of school gardens where the pupils learn about growing fresh produce that were to be used in food provided to the children.

The Group Catering Manager summarised some of the challenges that were being faced. These being that not all schools had full recycling facilities which included a number of schools not having food waste disposal on site. There were concerns with the cost of food increasing and its impact to provide sustainable meals. There was also challenges with determining the levels of carbon emissions being emitted and whether the work that was currently being done had an impact on this because the potential figures would be based on the whole school.

Following the presentation, members had the following discussions and raised the following questions.

Were the challenges faced by the Corporate Catering team listed by priority?

The challenges were not put to the Committee in priority. However, officers said that the complications faced by the increasing food prices was a particular concern. The Director: Communities, Customer and Commercial Services explained that this concern was of particular importance because of providing a nutritional meal that amounted to 96pence per head. Another particular concern was gauging the carbon emission figures because it was hard to determine the impact from the kitchens as figures are based on the whole school.

Was there schools that left the service or asked to be a part of it?

There were three schools that previously left the service that had approached the Corporate Catering Team to re-join them.

Was there any difference in service/provision to the team if they were based in a Council maintained school or privately ran school like an Academy Trust maintained school?



For Council maintained schools it was said that elements of the service would differ such as being able to get equipment repaired in a timely manner. When working with schools that were not maintained by the Council it was said that the team would offer a 3-5 year plan that was bespoke to the school.

How many children brought packed lunches and were the reasons as to why known?

78% of free-school meal eligible children had school meals. The children that had packed lunches were either the 'fussy eaters' or wanted to play outside faster.

How did the catering team work with children that had Special Educational Needs (SEN)?

The Group Catering Manager explained that when working with SEN children, there was work with the parents to build trust. This was done in order to get children to engage with the food and understand whether the food required anything specific such as being processed further to prevent choking.

Members discussed the work done by the Catering team and was impressed with the work and the achievements that they have achieved. Members expressed interest in forming a working group to look further at what the service can be done to improve their environmental impact further than what they already do. It was discussed that a site visit to one of the schools could be done along with exploring other areas of best practice that could be implemented not just in school catering but in other catering provisions.

RESOLVED – the contents of the report and the planned review into Corporate Catering and how it support the Council's net zero ambitions be noted.

ENVSC11 Climate Change Adaptation

The Project Support Officer – Climate Change and Sustainability presented the Climate Change Adaptation report to the Committee. The presentation summarised the different climate events across the world over the last year and its impact on areas such as environmental, social and economic aspects of society. The presentation summarised some of the mitigations that were in place to reduce carbon emissions such as the adoption of a tree policy which included the planting a mixture of native and non-native species.

The adoption of a Climate Change Adaptation Policy was said to be focussed on the National context. The goal was said to examine how the best way it



was to adopt the policy whilst maintaining consistent services across all Council services.

The development of the plan was said to take a two-pronged approach. These were to identify the risks as part of a developing Climate Change Risk Register and to develop actions to mitigate the identified risks.

Members were presented examples of risk registers and Adaptation plans from other local authorities such as Blaby District Council and Stafford Borough Council.

The next steps of establishing a Climate Adaptation Plan was summarised to Members to focus on developing the plan for March 2024 and to work with Members in forming the plan. Some possible external partners were mentioned such as the Environment Agency and Public Health bodies.

Following the presentation, Members posed the following questions and discussions.

Is there still a Climate Change Taskforce?

There was still the Plastic Free Task Force and the Climate Change Partnership.

Members thanked Officers for presenting the work and would like to be more involved with the development of the plan as well as hearing further information such as the work done by Glasgow Council.

How would the Scrutiny Committee add further value to the development of the plan?

The Director: Communities: Customer and Commercial Services explained that the approach presented to Members would allow scrutiny to help inform the development of the Adaptation plan.

Could Town and Parish Councils as well as those that live in the Borough support the development of the plan?

Members of the public would be able to support the development of the plan and feedback into its development.

Members recognised the importance of developing this plan with the increasing Climate Emergency both locally and nationally. Members voted on the recommendations.



RESOLVED– The Environment Scrutiny reviewed the proposed approach to developing a Corporate Climate Change Adaptation Plan and recommended to form a working group to explore this further.

ENVSC12 Chair's Update

The next meeting was scheduled for the 29 November 2023.

The meeting ended at 7.27 pm

Chairman:

Date: Wednesday 29 November 2023

This page is intentionally left blank



Environment Scrutiny Committee
Biodiversity Matters – Environment Act
29th November 2023

Cabinet Member:	Cllr Carolyn Healy – Cabinet Member: Climate Action, Green Spaces, Heritage and Leisure
Lead Director:	James Dunn – Director: Prosperity and Investment
Service Area:	Development Management
Report Author:	Valerie Hulme – Development Management Service Delivery Manager
Officer Contact Details:	Tel: 01952 380380 Email: valerie.hulme@telford.gov.uk
Wards Affected:	All wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Environment Scrutiny Committee – 29 th November 2023

1.0 Recommendations:

- 1.1 It is recommended that Environment Scrutiny Committee note the proactive approach to delivering the new mandatory Biodiversity Net Gain, and note the challenges to date whilst awaiting national guidance.
- 1.2 It is recommended that Environment Scrutiny Committee review and endorse the approach taken in introducing and delivering Biodiversity matters contained within the Environment Act, and make recommendations as appropriate, for a further detailed consideration of Biodiversity Net Gain implementation and delivery in February 2024.

2.0 Purpose of the report:

- 2.1 To provide an overview of the new legislation relating to Biodiversity, the strategic and practical implementation, potential opportunities and monitoring. This provides a background paper for the full consideration by Scrutiny Committee on the 6th February 2024.

3.0 Background

3.1 The Environment Act 2021, introduced a number of new measures that acts as the UK's new framework for environmental protection, replacing previous European legislation. The Act enshrined environmental protection into law. The act covers a number of matters including waste & recycling, air pollution, water pollution and nature conservation, brings in four key changes with regard to nature conservation within England:

- i. Need for county-scale Local Nature Recovery Strategies (LNRS) which should be taken into account by LPAs.
- ii. Requirement for minimum 10% Biodiversity Net Gain (BNG) from most planning application based development.
- iii. Revises the Biodiversity Duty on public bodies within Natural Environment and Rural Communities (NERC) Act not only conserve but now enhance biodiversity through our functions and now also to periodically report on these.
- iv. Creation of the Office for Environmental Protection (OEP) whose statutory duties include enforcement actions against failure of public authorities to comply with environmental law.

It should be noted that BNG and the strengthened Biodiversity duty on the public bodies (points ii and iii) are important mechanisms to support the delivery of the LNRS (point i).

3.2 New burdens funding from government of up to £20k for TWC has been provided on an annual basis, to help prepare for their additional biodiversity duties; this comes from the (£6.16m central government pot). This has been drawn down to support necessary resources to deliver these new strategies.

Local Nature Recovery Strategy

3.3 As a system of spatial strategies, the Government has selected the Local Nature Recovery Strategy Areas, and Telford & Wrekin will work as a partner with Shropshire Council who will be the lead authority in the preparation, publication, review and republication for the strategy. The strategy will set out the areas:

- i. agreed priorities for nature's recovery;
- ii. map the most valuable existing areas for nature; and
- iii. map specific proposal for creating and improving habitat for nature and wider environmental goals.

3.4 The main purpose of the strategy is to identify locations to create or improve habitat most likely to provide the greatest benefit for nature and the wider environment. The strategy will not force the owners and managers of the land identified to make any changes. Instead, the government is encouraging action through proactive nature based solutions which could include opportunities for funding and investment. The approach will include partners, stakeholders, and the public to develop, produce and deliver the LNRS. The plan will help to direct central funding streams in addition to feeding into the Local Plan development, and informing BNG matters.

3.5 A LNRS steering group has formed, and met for the first time in September 23; the group includes:

- Shropshire Council (the Responsible Authority)
- Natural England (Supporting Authority)
- Telford and Wrekin Council (Supporting Authority)
- Country Land and Business Association
- Environment Agency
- Forestry Commission
- National Farmers Union
- Shropshire Hills AONB
- Shropshire Wildlife Trust

TWC are fully integrated into the steering group and will lead on the urban aspects of the strategy.

Biodiversity Net Gain

- 3.6 BNG is an approach to development and /or land management that aims to leave the natural environment in a measurably better state than it was before. The initial legislation within Environment Act 2021, amends the Town and Country Planning Act, and other additional Statutory Instruments are currently being prepared to guide and regulate the implementation. It does not change existing legal protections for important habitats and wildlife species. It maintains the mitigation hierarchy of avoid impacts first then mitigate and only compensate as a last resort.
- 3.7 BNG requires most non-householder planning applications which have more than a small impact to provide a legal minimum of 10% net gain in biodiversity; this is parallel to protected species and Local Plan requirements. It was announced on in September 23 that this will become a statutory requirement from January 2024, for all new planning applications of large developments, with non-exempt smaller ones from April 2024. However, some transitional arrangements are anticipated and guidance is expected in November 23.
- 3.8 The Biodiversity value is calculated via an official metric. The current version (4.0) will be replaced in November 23. These Values are based on a number of criteria primarily habitat type, condition and location with additional multipliers for onsite or offsite mitigation. Some rules are in place to ensure lower importance habitats are not used to replace those of more intrinsic value.
- 3.9 Any submitted planning applications will be required to demonstrate how they have arrived at their pre-development and post-development values and how any shortfalls will be offset either by buying units from landowners/suppliers or via a central Government Conservation Credit scheme. Units can be procured for projects across England with some geographic penalisation.
- 3.10 The Statutory Instrument and Natural England will provide guidance on the regulation of offsite units. Conservation Covenants are a mechanism for securing land being sold as offsite compensation. They are administered by Responsible Bodies. The process for becoming authorised as a Responsible Body has been

launched at the end of July. Local Authorities are encouraged to apply, and this is under review.

- 3.11 On and offsite units are required to be monitored and maintained to target condition for a minimum of 30 years. The procurement of offsite units are expected to be delivered via a market type system, therefore can be chosen by price rather than location. Onsite provision within developments will always remain the priority to deliver +10% biodiversity; and applicants will need to demonstrate this cannot be achieved onsite to justify any off site provision. It is recognised that some sites would struggle to meet the requirements due to physical constraints; therefore, officers are working to create a set of uplift projects that can be offered to developers as offsetting projects. This ability is part of the national BNG system and offsets, in theory can be provided anywhere in England. Therefore, offering these locally and competitive prices will help retain the benefits within the borough
- 3.12 Officers have been trialling the BNG measurement system (Biodiversity Metric) for over a year to demonstrate net neutral developments. Cross service delivery is essential and a working group has been established. A number of uplift sites have been selected by officers for initial and further investigation. Many of these have been baseline surveyed with other sites in the process.
- 3.13 Officers have identified a list of sites with potential to offer uplift projects. These are actively being assessed for current condition and suitability for improvements. To date 130ha of land has been surveyed for baseline habitats and conditions. Others are being programmed to be baselined and tested for suitability.
- 3.14 It is anticipated that the first of these pilot grassland uplift projects will be delivered in Winter 2023, via a contract which is currently undergoing procurement. Pilot projects for other habitats are anticipated to follow in due course. Some of these sites are likely to be taken from the meadow verge project being undertaken by Localities. This project is identifying areas of verge and open space which are currently being frequently mown, but have the potential to receive fewer cuts, thereby reducing financial and climate burdens. Pilot sites for BNG grassland uplift will be chosen where there is physical likelihood of success, ability to retain ecological condition for 30+yrs and especially where there is wider ecological benefit.

Biodiversity Duty

- 3.15 The Environment Act places a duty on all public bodies (including public bodies, local authorities, statutory undertakers,) to:
1. Consider what can be done to conserve and enhance biodiversity.
 2. Agree policies and specific objectives based on this consideration.
 3. Act to deliver the policies and achieve the objectives.
- 3.16 The first consideration of what actions to be taken must be implemented before January 2024. Officers across the organisation have met in November to establish a working group “consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.” Guidance has not yet been provided on this by the Government,

however we will commence in a common sense understanding of the legal requirement.

3.17 This will be followed, as statutorily required, by forming a plan “as soon as practicable after the completion of the consideration”. These plans are then to be reviewed at least every 5 years.

3.19 TWC will then be required to publish reports periodically, setting out the delivery of the Biodiversity Duty. The first is due by 14th Jan 2026 and then in a cycle of 5yrs or less. These must summarise actions and plans relating to the duty and progress as well as additional BNG reporting.

4.0 Summary of main proposals

4.1 To provide an update to the Environment Scrutiny Committee on the recent legislation and changes relating to Bio-diversity Net Gain.

5.0 Alternative Options

5.1 There are no alternative options arising from this report.

6.0 Key Risks

6.1 There are no direct key risks arising from this report.

7.0 Council Priorities

7.1 Our natural environment is protected, and the Council is taking a leading role in tackling the climate emergency

8.0 Financial Implications

8.1 There are no direct financial implications arising from this report.

9.0 Legal and HR Implications

9.1 There are no direct legal and HR implications arising from this report.

10.0 Ward Implications

10.1 The changes in legislation will have a Borough wide implication.

11.0 Health, Social and Economic Implications

11.1 There are no direct health, social and economic implications arising from this report.

12.0 Equality and Diversity Implications

12.1 There are no direct equality and diversity implications arising from this report.

13.0 Climate Change and Environmental Implications

13.1 There are no climate change and environmental implications arising from this report.

14.0 Background Papers

None

15.0 Appendices

None

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	20/11/2023	21/11/2023	EH

Environment Scrutiny Work Programme

Issue / Topic	Brief Description	Directorate	Council Values/Priorities	Format	Meeting Comments	
21 June 2023 – Committee Meeting						
Page 69	Terms Of Reference	For the Committee to agree the Terms of Reference for 2023/24	Policy & Governance	A community-focussed, innovative council providing efficient, effective and quality services	Committee Agenda Item	Constitutional Function
	Outcomes: That the Terms of Reference be agreed for the 2023/24 municipal year.					
Page 69	Work Programme	For the Committee to agree the proposed work programme for 2023/24	Policy & Governance	A community-focussed, innovative council providing efficient, effective and quality services	Committee Agenda Item	Draft work programme delegated to each scrutiny committee by SMB on 6 June 2023
	Outcomes: The draft work programme be agreed.					
Page 69	Annual Scrutiny Report-Environment Committee	To review the Environment Scrutiny Committee portion of the Annual Scrutiny Report for 2022/23	Policy & Governance	A community-focussed, innovative council providing efficient, effective and quality services	Committee Agenda Item	To provide new committee Members with context of the previous work of the committee
	Outcomes:					

Agenda Item 6

The report be noted and discussion over the years upcoming work.					
14 September 2023 – Committee Meeting					
Corporate Catering	To review the role in net zero of the Council’s Corporate Catering function, particularly in relation to procurement	Communities, Customer & Commercial Services	Our natural environment is protected – we take a leading role in addressing the climate emergency.	Committee Agenda Item with the Committee asked to consider establishing a Task and Finish Group	Committee Meeting, consideration to be given to formation of a working group to scrutinise further
	Outcomes: The Committee received a presentation on Corporate Catering and the work that the Catering team had done in the role of net zero within the school setting.				
Climate Change Adaptation	To provide feedback and comments on the upcoming adaptation work.	Communities, Customer & Commercial Services	Our natural environment is protected – we take a leading role in addressing the climate emergency.	Committee Agenda Item	Committee Meeting item
	Outcomes: The Committee received a presentation on the Council’s plan for Climate Change Adaptation. Members were pleased with the proposed outcomes and welcomed the approach and to work with officers on this.				
29 November 2023 – Committee Meeting					
Biodiversity Net Gain	Review of the biodiversity net gain strategy following changes in legislation	Prosperity & Investment	Everyone benefits from a thriving economy	Committee Agenda Item with the Committee asked to consider establishing a Task and Finish Group	Initial scene setting meeting
	Outcomes:				

River Sewage	Review of the current river sewage position	Neighbourhood & Enforcement Services	Our natural environment is protected – we take a leading role in addressing the climate emergency	Committee Agenda Item	Severn Trent and The Environment Agency representatives will be in attendance for this meeting
	Outcome:				
6 February 2024 – Committee Meeting					
To be confirmed but likely to include an update from a working group					
	Outcomes:				
20 March 2024 – Committee Meeting					
Climate Change and Plastic Free Telford & Wrekin	Annual Update on the Council's Climate Change agenda	Communities, Customer & Commercial Services	Our natural environment is protected – we take a leading role in addressing the climate emergency	Committee Agenda Item	Committee Agenda Item March 2024
	Outcomes:				
Shropshire Good Food – 12 month review	Update on the Shropshire Good Food Project following the presentation to	Communities, Customer & Commercial Services	A community-focussed, innovative council providing efficient, effective and quality services	Committee Agenda Item	Committee Agenda Item March 2024

	Members in the previous year				
	Outcomes:				
New suggestion					
New housing developments and removal of trees	An update on the criteria for removing established tree lines for housing development	Prosperity & Investment	Our natural environment is protected – we take a leading role in addressing the climate emergency	Committee Agenda Item	Committee Agenda Item – public scrutiny suggestion
	Outcomes:				