

MINUTES
OF THE MEETING OF THE
GROWTH AND DEVELOPMENT SCRUTINY GROUP
WEDNESDAY, 4 JANUARY 2023

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors N Clarke (Chairman), J Cottee (Vice-Chairman), R Butler,
A Phillips, J Stockwood and L Way

OFFICERS IN ATTENDANCE:

C Evans	Service Manager Economic Growth and Property
C Saxton	Economic Growth Officer
C Prendergast	Corporate and Commercial Projects Officer
P Phillips	Ecology and Sustainability Officer
P Marshall	Principal Policy Planner
E Richardson	Democratic Services Officer

APOLOGIES:

Councillors M Barney

10 Declarations of Interest

There were no declarations of interest.

11 Minutes of the Meeting held on 21 September 2022

The minutes of the meeting held on 21 September 2022 were approved as a true record and were signed by the Chairman.

The Service Manager Economic Growth and Property provided an update on actions from the last meeting:

- The Environment Agency have advised that the best time to visit their Fish Farm would be after April and a visit will be organised for later in the year.
- A letter has been sent on behalf of the Chairman to the Environment Agency and Severn Trent and a copy will be shared with Members of the Group.

12 UK Shared Prosperity Fund

The Economic Growth Officer and the Corporate and Commercial Projects Officer presented an update to the Group about the UK Shared Prosperity

Fund (UKSPF) and the Rural England Prosperity Fund (REPF).

The Economic Growth Officer confirmed that the funding was announced in September 2022, following which much work had taken place to set out a proposed programme of expenditure going forward.

The Economic Growth Officer noted that UKSPF and REPF replaced existing EU funding and had the goals of building pride in place and increasing life chances across the UK. She explained that the EU funding had supported business support and skills, for both local projects, such as £1.6m for Bingham Chapel Lane Enterprise Centre and wider projects across the D2N2 area, such as the Growth Hub.

The Economic Growth Officer said that UKSPF provided allocated funding for each local authority over three years, rather than through a competitive bidding process for specific projects. She noted that the funding had three overarching investment priorities, being community and place, business support, and people and skills, and had forty one interventions below those priorities, with a range of expected outputs and outcomes for those interventions. She said that funding could be allocated to both capital and revenue initiatives and that local authorities were encouraged to work collaboratively.

In relation to REPF, the Economic Growth Officer explained that this replaced the previous EU LEADER funding and had only been awarded to rural areas, which included Rushcliffe, Bassetlaw and Newark and Sherwood districts within Nottinghamshire. It was capital grant funding only and would commence in April 2023 for two years.

The Economic Growth Officer explained that the Council had identified some Rushcliffe principles for the funding which included ensuring projects supported delivery of the Councils Corporate Plan, that funding supported projects across the Borough, demonstrated value for money and were deliverable. This was particularly important in year one due to the tight timescales. She added that much reporting would be required as part of the programme, demonstrating value for money, added value for projects that otherwise wouldn't be delivered, and a need for the project.

The Economic Growth Officer said that stakeholder engagement had been done through the Strategic Growth Board as well as with wider stakeholders including through local growth boards and discussions with identified groups.

The Economic Growth Officer confirmed that the high level Investment Plan for UKSPF had been submitted to Government on 31 August 2022 and approval for it had been received in November 2022. The Addendum for the REPF had been submitted in December 2022 for which the Council was awaiting approval.

The Economic Growth Officer outlined a range of projects that had been approved for the first year of funding, including, benches and improvements to the café at Rushcliffe Country Park, energy audits for the Council's properties, funding to support reed clearance along the canal to improve water retention, implementation of a digital support toolkit for high streets, funding to support

increased police patrols at Ratcliffe on Soar in relation to car cruising, a feasibility study for a long stay car park at Bingham, bollards at Bingham Market Place, and an accessibility study for Central Avenue in West Bridgford. The total funding package for year one was circa £312k.

The Economic Growth Officer said that a Project Implementation Officer, shared with Broxtowe Borough Council, was being recruited to support delivery of the scheme, which would be funded from the UKSPF funding pot.

The Corporate and Commercial Projects Officer explained that year one REPF funding amounted to £149k. She outlined the Council's high level proposal to create two grant pots, with one at £80k to support rural business with projects relating to diversification, net zero infrastructure, rural business hubs and the visitor economy, and one at £70k to support rural communities with projects supporting community groups, green spaces, active travel and heritage and cultural activities.

The Corporate and Commercial Projects Officer stated that this could mean that the two funding pots each be split into two grants pots of between £20k to £40k, possibly requiring some varying degrees of match funding. It was expected that the type of projects funded by UKSPF would be similar to those funded by REPF except that REPF projects would have a rural element and are capital only. The details for the grant pots including eligibility criteria are being developed.

In relation to year two funding for UKSPF, the Corporate and Commercial Projects Officer explained that work is being undertaken, led by RBC Officers, to explore opportunities for joint commissioning across Nottinghamshire for business support activity. In addition, she said that other project options included capital spend in the Borough's town centres, possibly building on feasibility studies in West Bridgford and Bingham, capital grants for neighbourhood infrastructure projects, support for decarbonisation, support for cost of living, improvement to green and blue spaces, focus on heritage assets and projects supporting tourism and inward investment.

The Corporate and Commercial Projects Officer explained that much consultation had been held with rural businesses and communities and with stakeholders such as RCAN, RCVS and Citizens' Advice. An update had been given at the Town and Parish Forum in October and a further update would be provided at the March Forum. She said that the Strategic Growth Board would act as oversight for the funding and Rushcliffe Business Partnership would be engaged bi-annually. Residents would be updated through Rushcliffe Reports and the Council's social media and communications channels.

The Chairman asked about the criteria and assessment process for projects. The Economic Growth Officer referred to the priorities as set out in the Investment Plan and explained that there was flexibility within those interventions. The Service Manager Economic Growth and Property added that projects needed to meet the outputs and outcomes specified in the criteria and the process was open to applications and suggestions for a variety of projects.

The Chairman referred to CCTV for fly tipping and the Service Manager

Economic Growth and Property confirmed that this was on the long list of projects which had been proposed to be supported in years two/three.

Councillor Butler referred to REPF funding and asked whether there would be scope to fund more than the suggested two schemes if more applications were received. The Corporate and Commercial Projects Officer said that approximately £150k had been allocated for year one and while there wasn't scope to increase that amount, the split between pots and the number of projects supported was flexible depending on interest. She confirmed that projects involving other local authorities would be possible.

The Service Manager Economic Growth and Property explained that the Council had been required to allocate funding within the investment priorities as part of its Investment Plan, and that they were indicative. The Investment Plan had been agreed by Cabinet and regular updates on projects were provided to the Executive Management Team and the Portfolio Holder. The Service Manager Economic Growth and Property explained that the process was flexible but needed to ensure that there was balance across the investment priorities.

Councillor J Stockwood referred to the priority of pride in place and asked how this would be measured. The Service Manager Economic Growth and Property explained that the Government had set out criteria for outputs against the various interventions and said that the residents survey could be used as part of a pride in place baseline.

Councillor J Stockwood asked whether town and high street projects would encompass areas other than West Bridgford and Bingham and the Economic Growth Officer confirmed that all high streets and neighbourhood centres could be considered for projects.

Councillor J Stockwood suggested contacting the Rural Market Town Group, which was part of the Rural Services Network, as they would have information about market towns and the issues faced by rural communities, including details of projects currently in existence, and also contacting local area groups and forums in unparished areas.

In relation to the funding of the Project Implementation Officer post, the Service Manager Economic Growth and Property confirmed that the total funding that could be used to support management/monitoring costs was circa £104k over the three years which the 4% Government had allowed to fund staffing costs.

In relation to the digital high streets project, the Service Manager Economic Growth and Property explained that the Council was looking to provide support through online guides and webinars and also to have an individual who would visit high streets to offer in-person support, along with one-to-one tailored support with a consultant.

The Service Manager Economic Growth and Property explained that whilst year one funding had been allocated, none of the funding for years two and three had been.

Councillor J Stockwood suggested sharing the objectives document and information around the bidding process to provide reference as to what would and would not be realistic proposals. The Service Manager Economic Growth and Property said that all of the information was available on the Government's website and the Team would ensure that this documentation was made available.

Councillor Way asked about REPF funding allocation. The Corporate and Commercial Projects Officer explained that the suggested grant pot splits were indicative and had been based on suggestions from partners that these would be the sort of amounts that rural communities would usually bid for, but there was flexibility to offer more grants at smaller amounts.

Councillor Way asked whether the schemes were open for applications and the Service Manager Economic Growth and Property said that the Council was in the process of confirming the criteria and details and it was likely that funding would open late February.

The Chairman noted the importance of the funding and highlighted the need to ensure that the public were made aware of its existence, availability and the investments taking place in their communities.

It was **RESOLVED** that the Growth and Development Scrutiny Group:

- a) Reviewed proposals for year two and made suggestions for additional priorities and projects to support.
- b) Reviewed the stakeholder engagement plan and identified any additional groups to engage with or ways to engage.

13 **Hedges and Hedgerows within the Borough**

The Ecology and Sustainability Officer and the Principal Policy Planner presented an update to the Group about hedges and hedgerows in the Borough.

The Ecology and Sustainability Officer explained that the Council had passed a Motion to protect and enhance hedgerows in the Borough of Rushcliffe and had requested that a review of the legal and policy framework be conducted.

The Ecology and Sustainability Officer said that the legal and policy framework that was within the control of the Council sat largely within two areas, being the Rushcliffe Local Plan, as part of the Core Strategy and Local Plan Part 2, and the Hedgerow Regulations, which identified hedgerows which were important and to which the Council could apply notice that they need to be retained and required application to remove. The Ecology and Sustainability Officer noted that there was a strict definition of which hedges could be covered which did not include garden hedgerows and required a certain number of species to live in it or for it to have historical importance.

The Principal Policy Planner referred to the Local Plan Core Strategy policy 17 which sought through planning applications to achieve an increase in

biodiversity as a result of new development and also to ensure that new development provided new biodiversity features and improved existing biodiversity features, which included hedgerows.

In relation to the Local Plan Part 2 policy 38, the Principal Policy Planner said that this identified specific biodiversity areas within the Borough and if planning applications were submitted within those areas, it gave the Council the mechanism to seek specific types of improvements to biodiversity, including through hedgerows.

In relation to the mapped biodiversity opportunity areas, the Principal Policy Planner said that they covered a significant portion of the Borough, including around East Leake and Stanford Hall, and provided a description of what was there and what could be improved.

In relation to Planning Applications, the Principal Policy Planner said that consultation with the Ecology and Sustainability Officer and the Landscape Officer would take place for relevant planning applications, for advice on what features the Council should seek to retain and on any potential bio diversity enhancements it should try to achieve.

The Principal Policy Planner advised that the Council sought to retain hedgerows as much as possible where they contributed to the character of an area or where they provided biodiversity asset. He said that whilst it was not always possible to protect them, for example where their removal was required to facilitate access to a site, the Council would seek to negotiate replacement within the development scheme and to achieve a net gain.

The Ecology and Sustainability Officer explained that the Environment Act 2021 contained a legal requirement for biodiversity net gain through land planning, and although this element had not as yet been enacted it was expected to be by November 2023.

The Ecology and Sustainability Officer said that biodiversity net gain required that an environment be in a measurably better state than it was before development with the requirement that some bio diversity should be provided within the development. If the same amount of biodiversity could not be achieved after development, then another site needed to be improved. He explained that Natural England had developed a metric to measure biodiversity pre and post development and the legislation would require that a minimum of 10% net gain be provided as measured by the Natural England metric.

The Ecology and Sustainability Officer explained that the net gain needed to be provided in three ways, for general habitats, for hedgerows or lines of trees and for riversides, He said that if there were pre-existing hedgerows on a site there would need to be 10% more in quantity or quality post development.

The Ecology and Sustainability Officer said that the Council currently sought to achieve a 10% net gain where possible but that it was not a legal requirement for developers to do so at the moment.

The Ecology and Sustainability Officer confirmed that the Council did not have

a baseline of the amount or condition of hedgerows in the Borough, however, an estimation of hedgerows across the UK has been produced by a UK science group and the Council was looking to purchase that data for the Borough. He said that some on the ground verification would be required.

The Ecology and Sustainability Officer said that the Environment Act required that a monitoring scheme be put in place for bio diversity net gain, and that the Council would need to submit five yearly reporting on how much had been achieved. He said that the Council currently recorded all hedgerow removal notices and instances where hedgerow retention notices were issued.

The Ecology and Sustainability Officer explained the Council offered tree grants currently which could be widened to include hedgerow planting and also offered biodiversity grants through the Nature Conservation Strategy which provided some hedgerow support, which could be increased.

The Chairman noted that domestic hedgerows were exempt from the legislation. The Ecology and Sustainability Officer explained that a domestic hedgerow was defined as the boundary to a (domestic) property even if it was on the edge of field, if it was away from a domestic property then it would be covered, if over a certain length.

The Chairman referred to enforcement of the legislation and thought that it would be difficult to manage

Councillor J Stockwood referred to the Local Plan Policy and asked whether the Council thought it successful. The Principal Policy Planner said that the monitoring indicators for the Plan were reported through the annual monitoring report but were not specific to hedgerows. The Ecology and Sustainability Officer added that success was attained by achieving measures as set out in the Local Plan, and that any measures had to meet requirements of planning legislation. He hoped that the new legislation would provide a mechanism to enable the Council to be tighter in its requirements and require measurable evidence of achievement, for new applications.

Councillor J Stockwood referred to the Council making its green belt plan, tree preservation and greenbelt information publicly available and the Service Manager Economic Growth and Property confirmed that work was taking place to complete this piece of work.

Councillor J Stockwood enquired about the Council providing grants for hedgerows and the Ecology and Sustainability Officer confirmed that the Council spent £12.5k on trees. Councillor J Stockwood suggested spending the same on hedgerows and increasing the nature strategy conservation group grants from £5k to £10k.

Councillor Butler asked about monitoring of new developments and if there had been any situations where biodiversity net gain had not been achieved and how robust could the Council be in requiring that it be put in place. The Ecology and Sustainability Officer explained that the Council had only been applying biodiversity net gain requirements since 2022 and as such no developments had completed yet. Under the new legislation, legal agreements between the

Council and developers would need to be in place through S106 or conservation covenants. He said that the Government had not set our possible sanctions as yet, but these were expected early 2023.

The Ecology and Sustainability Officer confirmed that there had been instances where hedges had been removed without notification and as such the Council had put in place a requirement that they be replaced.

Councillor Way referred to requirements about biodiversity net gain under the new legislation and the Ecology and Sustainability Officer confirmed that this could be provided offsite but would need to be in a better condition or of a greater amount.

Councillor Way asked whether the Council could apply conditions on the amount of hedge that could be removed, to assist in providing more joined up wildlife corridors. The Principal Policy Planner said that this would need to be considered on a case by case basis.

Councillor Way suggested including hedging plants in the tree scheme as she thought that residents who would not wish to plant a tree in their garden may be open to planting a hedging plant.

Councillor Way suggested including Councillors in the gathering of hedgerow information as they may have awareness of what was in their locality. The Ecology and Sustainability Officer agreed that this would be helpful. He said that there was a standard methodology for assessing hedgerows and training on it could be provided once the Council had established a baseline of hedgerows within the Borough.

Councillor Phillips asked whether new roads would be included for biodiversity net gain in the new legislation and the Ecology and Sustainability Officer said that it was expected that they would if defined as a national infrastructure project, although this part of the legislation would not become active for five years.

The Ecology and Sustainability Officer said that under the new legislation biodiversity net gain would need to be maintained for 30 years and monitored for 30 years by the developer. The evaluation of net gain would be assessed by a professional ecologist and then verified by the Council. He said that the Council would need to have a system in place to monitor developments over these timescales.

The Chairman asked that an update be brought back to the Group when the legislation had been enacted. He noted that REPF may offer opportunity for bids for funding to establish hedgerows.

The Group agreed that 'enforcement' be added as a requirement to the first recommendation and that 'review of the website hedgerow protection information' be included in the second recommendation

It was **RESOLVED** that Growth and Development Scrutiny Group:

- a) Requested a future Scrutiny item to be presented with details of requirements for methodology for the monitoring, enforcement and reporting of Biodiversity Net Gain.
- b) Reviewed current advice about the management and maintenance of hedges and suggested additional promotion opportunities and groups to engage with and that the website be reviewed to ensure hedgerow protection information was up to date.

14 **Work Programme**

It was **RESOLVED** that the Group consider its Work Programme and that the following items for scrutiny were agreed.

8 March 2023

- An Update on the Fairham Development.
- Work Programme.

The Chairman asked whether updates were available for previous work programme items which could be brought to future meetings.

The meeting closed at 9.00 pm.

CHAIRMAN