

WESTMORLAND AND FURNESS COUNCIL COMMUNITIES AND
ENVIRONMENT SCRUTINY COMMITTEE

Minutes of a Meeting of the **Communities and Environment Scrutiny Committee**
held on Tuesday, 6 February 2024 at 5.00 pm at District Council Chamber - Kendal
Town Hall - Kendal Town Hall, Lowther Street, Kendal, LA9 4DQ

PRESENT:

Cllr E Hennessy (Chair)
Cllr B McEwan (Vice-Chair)
Cllr L Baker
Cllr H Hodgson
Cllr H Irving
Cllr G Simpkins

Officers in attendance:

**PART I ITEMS CONSIDERED IN THE PRESENCE OF THE
PUBLIC AND PRESS**

33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cooper and Hamilton.

34. MEMBERSHIP

Councillor Hall attended as substitute for Councillor Cooper.

35. DECLARATIONS OF INTEREST/DISPENSATIONS

No Declarations had been received.

36. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: - That the press and public not be excluded during the consideration of any items on the agenda.

37. MINUTES OF THE PREVIOUS MEETING

RESOLVED: - That the minutes of the previous meeting held on 16 October, 2023 be agreed.

38. CLIMATE ACTION PLAN PART TWO

The Assistant Director of Climate and Natural Environment presented the Climate Action plan Part 2.

She informed the Committee that on the 23rd of January 2024 Cabinet had approved the Climate Change Action Plan Part Two, which was the subsequent part following the Part One that was approved on 11th July 2023.

The Part two action plan had been developed by the Climate and Nature team, working in conjunction with departments across the council, to identify suitable actions to reduce emissions, reduce environmental inequalities and create a climate positive council culture, building on the council's 'ecologically aware' value.

Westmorland and Furness's Shadow Authority confirmed that they faced climate and biodiversity crises on the Wednesday 18th September 2022 which would have potentially catastrophic impacts locally, nationally and internationally.

The motion committed the council to

- (a) reducing its own carbon emissions to net zero as soon as possible;
- (b) working with others to target a net zero carbon Westmorland and Furness by 2037; and
- (c) increasing biodiversity by, for example, restoring natural habitats, restricting invasive species and reducing pollution.

The Council Plan set out the council's values, which included 'Ecologically aware': "we would provide leadership in the drive to become carbon net zero and sustainable".

As part of wider stakeholder engagement around the development of Westmorland and Furness Council's Climate Action Plan Part 2, there had been extensive internal consultation, as well as significant external consultation.

The Climate and Nature team supported the Portfolio Holder, Cllr Archibald, in developing a series of 'Climate Conversations' as part of the public engagement for the development of this action plan. There were five events held, one in Barrow, Ulverston, Kendal and Penrith where a broad section of councillors helped to support these conversations and encouraged residents to give the council their views on how to tackle climate change. There was also an online session held which was open to all residents.

The 'Climate Conversations' had been the first of a series of events, set out in the Launch Event, that showed the councillors reaching out into their communities. The Climate and Nature team would be supporting their Portfolio Holder and members with 'Nature Conversations' in March.

The Climate and Nature team were also worked closely with the Zero Carbon Cumbria Partnership to develop a workshop with the Cumbria Sustainability Network, a network of local community climate groups.

This iterative plan set out actions the council would undertake over the duration of the plan.

This would be monitored against measurable key performance indices, with regular updates to relevant portfolio holders, and the full governance would be subject to a later paper, outlining the programme of work.

Working with others to target a net zero carbon Westmorland and Furness by 2037 was a very ambitious aim. The council could not do this alone and needed to work in partnership with our businesses, NGOs and communities. Whilst local authorities were only directly responsible for 2-5 per cent of local emissions, through their policies and partnerships they had strong influence over more than a third of emissions in their area (Climate Change Committee, 2020)

The actions were divided into 6 categories – The Way we Live, The Way we Work, The Way we Travel, The Way we Produce Energy, The Way we Use things and the Way we Protect and Enhance Nature.

This was a 5-year plan that would be reviewed regularly and updated annually. With a full review to happen in 2029. The actions were focussed on current actions, short term actions which would take place in the next 5 years and longer-term actions post 2029.

Each action that did not come with externally sourced funding would need to go through the council's decision-making process at the appropriate time and require a full business case.

Given that this was a collaborative process and many of the factors were outside of the council's direct control, They needed to be adaptive to changes, for example, in government policy, global events and their residents' requirements.

A question was raised as to whether they had the Implementation, development and resources to put the plan in place.

The Assistant Director of Climate and Natural Environment informed the Committee that 8 roles had been identified within her team to support with the work and they would also be looking in to grant opportunities.

An additional question was raised regarding the predicted trajectory of the strategy and whether this was realistic.

Councillor Archibald stated that they had committed to with other groups in achieving this trajectory and they would be presented with plans from the ZCCP on 20th March relating to this.

RESOLVED: - To support Cabinet's decision to approve part two of the Climate Change Action Plan and affirm the commitments set out in the plan.

39. BIODIVERSITY NET GAIN

Alistair Blackshaw presented the report on Biodiversity Net Gain.

The report followed on from the Cabinet paper in December 2023 which sought recognition of the work being undertaken by Westmorland and Furness Council (WFC) to ensure the Council met its enhanced 'biodiversity duty' as introduced in the Environment Act 2021, which meant that we, as a council must 'consider what we can do to 'conserve and enhance' biodiversity'.

In addition to the enhanced biodiversity duty, the Environment Act 2021 amended the Town and Country Planning Act 1990 so that every grant of planning permission, with certain exemptions, must deliver at least a 10% increase in biodiversity value compared with the pre-development value of the site. This approach to development management was called Biodiversity Net Gain (BNG) and the new rules would take effect for major developments in January/February 2024 (exact date TBC). Part of the enhanced biodiversity duty was to report on the BNG delivery to Central Government every five years, with the first deadline being January 2026.

The new BNG regime presented a key challenge for WFC: as a Local Planning Authority they must be able to determine planning applications in accordance with the new rules once BNG is mandated. The BNG regime also presented a range of opportunities that they could take advantage of as part of their wider remit as a Local Authority and Responsible Authority for the Cumbria-wide Local Nature Recovery Strategy (LNRS).

The report also described the current situation activity in relation to their protected river habitats that were affected by 'Nutrient Neutrality'. This had strong links to BNG in relation to the protection and improvement of habitats, operation of our development management process and the development of tradable mitigation.

The purpose of the report was to inform the Communities and Environment Overview and Scrutiny Committee of the actions they had taken to prepare and outline future plans to leverage the opportunities presented by the new regime. A presentation was provided giving an overview of BNG.

A more detailed briefing on Biodiversity and Local Nature Recovery Strategy would be provided at the next Community and Environment Overview and Scrutiny Committee meeting and views from members would be sought on what additional information they would like to receive at that meeting.

A question was raised asking if they would be working with partners such as Cumbria Wildlife Trust.

Alistair advised they would definitely be looking in to working with local partners.

An additional question was raised regarding how they could approach developers with their goal of 20%

Councillor Archibald advised they would lead by example with their own developments and also build this into their local plan.

RESOLVED: - To acknowledge and support the preparations for BNG in response to the statutory requirements of the Environment Act 2021.

40. A LOCAL PLAN FOR WESTMORLAND AND FURNESS

The Senior Manager Housing Standards & Services provided a presentation on the Local Plan.

He advised that they were currently in the scoping and early engagement phase which would run until October, 2024, they then would have 2 years to put the plan together to then adopt in 2027.

Since Vesting day they had; -

- Built capacity – appointed an interim lead and programme management support
- Combined 4 teams preparing four plans into one team preparing one plan;
- Reviewed and brought together all existing local plan evidence in one place
- Engaged with DHLUC and the Planning Advisory Service and put forward their case to be a front runner authority to pioneer plan preparation under the new system;
- Maximised the benefits of unitary status by ensuring that all relevant departments within the new Council were aligned behind the plan;
- Developed proposals for governance and decision making for the Local Plan and for Neighbourhood Plans
- Begun the process of preparing a Strategic Housing and Economic Needs assessment
- Begun developing a Communication & Engagement Strategy
- Commenced the Commissioning process for a Design Code;
- Commenced the preparation of a Supplementary Planning Document for Barrow Marina Village to enable the delivery of 800 new homes on brownfield land;
- Progressed Neighbourhood Plans for Penrith and Allithwaite and Cartmel.

They had a vision in our Council plan – to deliver it, the plan needed to plan for;

- A place which enabled economic activity which delivers the opportunities for people to build a life and the resource to sustain services and places;
- A place with a balanced population with more working people and young families and where people were engaged and fulfilled throughout their lives;
- A place which was environmentally sustainable and plays its part in meeting global climate change and biodiversity challenges;

- A place in which all of the different communities were empowered to develop local solutions to local issues;

The local plan was critical. Development was critical to deliver change – and they needed to think about the scale of development they wanted to plan for – and what that meant.

The committee were provided with information regarding the Communication and Engagement Strategy.

A question was raised as to whether they envisaged any areas of conflict.

The Senior Manager Housing Standards & Services stated there would be some tensions in what they wanted from the development and what the development industry would pay for. They also needed to make decisions on where growth would happen.

RESOLVED: - To note the information.

41. HOMELESSNESS AND ROUGH SLEEPING STRATEGY

The Assistant Director of Housing Officer, Amanda Brierly and Claire Watters presented the Homelessness and Rough Sleeping Strategy.

They advised the Committee that the provision of advice and support to prevent and relieve homelessness was a statutory duty. The strategy set out the Council's key objectives and included an action plan outlining the steps that would be taken to achieve the objectives.

The development of a Homelessness Strategy was required under the Homelessness Act 2002. It was considered best practice to include Rough Sleeping. The strategy contained statistical information to inform service development and delivery including data relating to rough sleepers.

The provision of support in safe accommodation for people escaping domestic abuse was a requirement under the Domestic Abuse Act 2021. The strategy outlined the Council's approach to supporting victims of domestic abuse presenting as homeless.

Both nationally and within Westmorland and Furness homelessness presentations were increasing as the demand for affordable accommodation outstripped supply. The strategy identified the current position with a view to working with partners to ensure an adequate supply of interim and settled accommodations were available.

The strategy set out how the Council would work with partners to prevent homelessness and the actions it would take to ensure people experiencing homelessness were supported to access accommodation that met their needs.

The strategy would be presented to Cabinet for approval on 26 March 2024.

A question was raised regarding the issues with empty properties.

The Assistant Director of Housing advised that they wanted to develop an empty homes strategy but they needed the staff and resources to do this. They were looking into KPI's and how they could be measured going forward.

An additional question was raised asking why right to buy properties were not being replaced.

The Committee were advised that they were currently exploring options and sometimes it was difficult to get the funding together to replace the properties.

The Committee agreed they would liaise with the Children and Young People Scrutiny to arrange a joint piece of work on this topic.

RESOLVED: - To note the development of a Westmorland and Furness Homelessness and Rough Sleeping Strategy.

42. HIGHWAYS CUSTOMER ENGAGEMENT

The Assistant Director of Sustainable Transport and Highways presented the Highways Customer Engagement Report.

The presentation provided an update on the Council's approach to customer engagement regarding highways, this included the Customer Strategy, Social Media, and the Highways Asset Management System.

The Committee were presented with information on the Customer Development Strategy, the HIAMS system and were informed they were looking into improving and developing the website to make it as efficient and effective as possible.

Social media had helped send messages out to the public and it had significant reach.

A question was raised as to how they could encourage members of the public to use HIAMS.

The Committee were advised that the system was well used and well known within Westmorland and Furness and it was also promoted through Social media.

An additional question was raised in regards to the monitoring of Ash Dieback.

The Committee were advised that they were currently prioritising high speed routes first and would report back as they progressed.

RESOLVED: - To note the report and presentation.

43. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Strategic Policy and Scrutiny Advisor presented the Committee Work Programme.

He reported that the relevant items from the current Forward Plan of Key Decisions, 1 February 2024 – 31 May 2024 had been attached as an appendix to the report.

Members had been asked to consider the Forward Plan and decide whether they should be reflected in the Committee's work programme.

Future iterations of the Forward Plan could be used to identify potential areas for scrutiny activity or where further information sharing was required.

The draft Work Programme had been attached as an appendix to the report.

Angela Jones advised the committee that the Forward Plan had been updated and the Customer and Digital Strategy would now be taken to Cabinet in April.

RESOLVED: -

1. To note the Cabinet Forward Plan
2. To Note the Work Programme.

44. URGENT ITEMS

There were no Urgent Items.

45. DATE AND TIME OF NEXT MEETING

The date and time of the next meeting was confirmed as Tuesday, 23 April 2024. Members agreed that the meeting would start at 5 p.m. and the location would be confirmed ahead of the publication of the next agenda.

The meeting ended at 7.24 pm