

ENVIRONMENT AND LIVING SCRUTINY COMMITTEE

18 September 2013

PRESENT: Councillor Hunter-Watts (Chairman); Councillors Adams, Mrs Bloom, Bond, Mrs Chapple, Foster, Mrs Russel, Mrs L Smith, Stuchbury, Mrs Takodra and Winn. Councillors Mrs Paternoster and Mrs Polhill attended also.

APOLOGIES: Councillors Mrs Brandis, Cashman, Fealey, Sir Beville Stanier and Vick.

1. MINUTES

RESOLVED –

That the minutes of the meeting held on 12 June 2013 be approved as a correct record.

2. FARMING AND WILDLIFE

The Committee received a report which provided Members with an overview of legislation, policy and research relating to farming and wildlife. It also set out Leisure Services response to the main duties, issues and opportunities.

The varied geology and topography of Aylesbury Vale created a countryside rich in landscape and wildlife. Many of the habitats and species were of national and international importance. The essentially rural nature of the district with its mix of arable and livestock management means that the major opportunities to benefit wildlife were on farmland.

Threats to farmland wildlife were many and varied, leading to habitat and species losses and a decline in the quality and value of what remained. Threats arose from changes in farming practices, climate change, loss of land and habitat fragmentation due to major infrastructure and new housing and commercial developments.

Three main pieces of legislation related to farming and wildlife and the role that local authorities have to play. The main one was the Wildlife and Countryside Act 1981, relating to nature conservation, which was supplemented by the Countryside and Rights of Way Act 2000. The 1992 European Habitats Directive placed a duty on local authorities to have regard to biodiversity in the exercise of their functions to the requirements of the Directive, which was reiterated in the 2006 Natural Environment and Rural Communities Act.

The 2010 Lawton Report 'Making Space for Nature' was the main document commissioned by the government on biodiversity and had been used to inform the 2011 Natural Environment White Paper and the 2012 'Biodiversity 2020'. It stressed that 'natural capital' was as vital to current and future prosperity as economic and social capital and that nature was fundamental to our wellbeing, health and economy. Recommendations which related to local authorities and their work relating to farming and wildlife were:

- ensure ecological networks are identified and protected through Planning.
- ensure Planning policy should continue to protect important sites.
- identify ecological restoration zones for landscape-scale conservation.
- take greater steps to reconnect people and nature.
- take responsibility for the identification and monitoring of Local Wildlife Sites.

The 2011 Natural Environment White Paper (NEWP) outlined policy to mainstream the value of nature across society. It included the establishment of Local Nature Partnerships and stated that protection and improvement of the natural environment must be a core objective of the Planning system.

The DEFRA 2012 'Biodiversity 2020' report was a significant policy document as it drew together the Lawton Report and the White Paper. It set out a national framework to halt the overall loss of England's biodiversity by 2020 and to move from net biodiversity loss to gain. The key actions included:

- A more integrated large-scale approach to conservation.
- Putting people at the heart of biodiversity policy.
- Reducing environmental pressures.
- Improving knowledge.
- Valuing what nature does for us.

The 2012 National Planning Policy Framework stated that the Planning system had an environmental role by contributing to protecting and enhancing the natural environment and helping to improve biodiversity and should facilitate to achieving net gains for nature. It set out the role that local planning authorities should play in this regard and covered development impacting upon farmland and its wildlife. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the principles that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. The NPPF states that the environment must be considered alongside community and economic matters.

Whilst policies designed to protect and enhance biodiversity were important and necessary, there were concerns about the policy to encourage development on poorer areas of land in terms of agricultural productivity as this could often be the richest in wildlife. The protection of important sites for wildlife on farmland was therefore vital.

The 2013 State of Nature report by leading wildlife organisations had concluded that the UK's nature was in trouble and that 60% of species had declined over recent decades, with 10% under threat of disappearing altogether.

2013 DEFRA agri-environment advice report set out how they intended to change the provision of advice and help farmers produce more food whilst continuing to protect the environment. It recognised commitments within the White Paper and Biodiversity 2020 to biodiversity protection and enhancement. The key themes which have come out from this review of legislation, policy and research and which relate to farming and wildlife were:

- AVDC has a legislative duty to have regard to biodiversity.
- The economic importance of ecosystem wellbeing in agricultural practices needs to be better understood e.g. pollinating insects.
- Farming must remain viable whilst supporting and enhancing biodiversity.
- The government was reducing the advice provided to farmers on agri-environment issues with a movement towards more local advice.
- Planning must take account of biodiversity and aim for a net gain.
- An urgent need for habitat creation and targeted species conservation.
- Greater local action needs to be supported through community involvement in conservation, awareness raising and skills development.

- New initiatives such as biodiversity offsetting and the ecosystem services approach recognise the full value of the natural environment and may offer new income streams.
- Conservation action needs to be evidence-based, be at landscape scale and be able to respond to the changing climate.

Leisure Services had grouped their responses under the 5 action areas identified in Biodiversity 2020 and examples given of delivery:-

- A more integrated large-scale approach to conservation
- Putting people at the heart of biodiversity policy
- Reducing environmental pressures
- Improving knowledge
- Valuing what nature does for us

The review demonstrates that AVDC's Leisure Services made a significant contribution to the protection and enhancement of farmland wildlife and supported farmers to be able to benefit wildlife as part of a commercially sound business. It achieves this by:

- Providing ecological advice to farmers on habitat creation and management
- Building volunteer networks and organising farmland wildlife surveys
- Species specific conservation schemes – barn owls, water voles, otters
- Securing inward investment for farmers through grants
- Influencing and negotiation of Leisure outcomes as part of the Planning process
- Negotiating ecological mitigation of new developments and major infrastructure
- Leading role in the establishment of the new Natural Environment Partnership
- Training and skills development
- Partnership working e.g. RSPB, Hawk and Owl Trust, Bat Conservation Trust

However, the work carried out by Leisure Services in regard to farming and wildlife had to be set in the context of the New Business Model and the need for the Council to reduce costs. Whilst external grants have facilitated schemes such as the North Bucks Bat Group and the Barn Owl Project, ways to reduce the core costs of Leisure Services had to be identified. Work was currently underway to seek ways to reduce costs and increase income, which might require changes to be made to the current services provided.

The report went on to provide an overview of Leisure Services' role in farming and wildlife and to explain how the Buckinghamshire and Milton Keynes Natural Environment Partnership (NEP) had been formed in 2013 with a dual aim of bringing together the green infrastructure and biodiversity sectors, and to assist in partnership working between agriculture, health, education, business, community and voluntary sectors.

A Shadow Board had been appointed which included Members from each local authority, and representatives from Natural England, the Berks, Bucks & Oxon Wildlife Trust, the Chilterns Conservation Board, the education sector, the health sector, the Local Enterprise Partnership and Buckinghamshire Business First. Leisure Services played a leading role in the NEP, represented on the Board by the Cabinet Member for Leisure and the Leisure Services Manager chairs the Delivery Group.

The Aylesbury Vale Green Infrastructure Strategy set the framework for the creation and management of green infrastructure (GI). The first part set out the principles for the creation and management of GI which included ensuring that development resulted in a net gain in biodiversity and that existing woodlands should be enhanced and new woodlands created. These principles governed the way in which farmland identified for development should be considered e.g. retention of important hedgerows as green

corridors. The flagship projects included Bernwood Forest and the Regional Wetlands Park (to be created as part of the Aylesbury East development) all of which would involve farmed landscapes.

AVDC's Biodiversity team was also involved in a significant amount of project and partnership work across the District, including with the Bucks Owl and Raptor Group and relating to threatened tree species such as the Ash. The team had also helped to establish biodiversity volunteer networks for ecological recording and practical conservation, much of which was carried out on farmland. These volunteers gave over 3000 days each year to projects such as Vale Countryside Volunteers, the North Bucks Bat Group, and the Otter and Water Vole project. The Biodiversity team reported annually on this work to the scrutiny committee.

This biodiversity volunteering was also helping to deliver the health and well-being agenda as it offered great physical and mental health benefits.

Biodiversity 2020 set out how to reduce environmental pressures under 4 categories: agriculture, forestry, planning and development, and water management. Some of the initiatives undertaken in the District under these 4 categories were:-

Agriculture – the Biodiversity team was working with farmers in a number of ways to help them protect and enhance wildlife whilst securing food production. This included providing ecological advice, creating a network of volunteers and specialist contractors, and supporting inward investment to give monetary value to farmland conservation land.

Forestry – helping to secure grant schemes for the management and planting of woodland.

Planning and Development – Leisure Services influences the design, delivery and management of new developments to ensure that protected and important habitats and species are properly considered and mitigated for. This includes contributing to policy writing in the Vale of Aylesbury Plan, negotiation of leisure provision in new developments, negotiation of ecological mitigation schemes and commenting upon amenity landscape schemes and individual planning applications.

Water Management – AVDC works with farmers on landscape scale schemes in river corridors. This includes the River Thames and the River Great Ouse, working with farmers and the Environment Agency. The AVDC Otter Spotter and Water Vole project concentrated on the River Great Ouse to the west of Buckingham has provided advice to landowners on how best to manage the habitats for wildlife, which can have direct benefits to water quality.

The AVDC Ecological Training Programme ensured that highly skilled conservationists were consistently produced who then have the skills to maximise biodiversity benefits to the district. The Team trained volunteers, professional ecologists and landowners in a range of skills which directly benefit farmland nature conservation. This provided a vehicle for graduate ecologists to gain experience and at the same time contribute at no expense to the effectiveness of the council's biodiversity conservation efforts.

45 volunteers had been trained by AVDC officers to attain a Natural England bat license in the last 10 years, more than any other bat group in the country. The Team facilitates scientific research whose findings could then be disseminated to the national conservation movement through papers and seminars.

The Biodiversity Team had been working with Springhill Open Prison for a number of years which offered a number of benefits. Inmates from the Prison made bird boxes free of charge and in return the Biodiversity Team offered work experience to inmates, thus increasing their skills and employability. The majority of the work experience was carried out on farmland wildlife projects such as putting up barn owl boxes.

Members requested further information and were informed:-

- (i) that the Council's Biodiversity team continued to work closely with landowners to protect species including water voles, otters and Barn Owls, and their habitats. This also included creating wildflower meadows and hedgerows. Biodiversity volunteers made a significant contribution to this work..
- (ii) that, where possible, AVDC highlighted for landowners where they might obtain funding for works to benefit wildlife such as improving hedgerows. AVDC had assisted farmers in securing grants such as DEFRA's Environmental Stewardship and had helped farmers to plant over 20 kilometres of hedgerows in the last 10 years through its volunteer groups.
- (iii) that the Council had developed a new technique with a local farmer for laying hedgerows, which was better for wildlife, quicker and cheaper. The technique had been recognised by DEFRA's Environmental Stewardship scheme and the Team are working with farmers to further develop and assess the technique so it can inform national best practice.
- (iv) that DEFRA and Natural England both issued Regulations and guidelines of good practice for hedge management to improve the conservation value of different types of hedges.
- (v) that some lottery funding was still available for biodiversity schemes and the Team will continue to develop ideas for species conservation funded through grants
- (vi) AVDC had been instrumental in setting up the Buckinghamshire and Milton Keynes Natural Environmental Partnership (NEP) and it was possible that funding could be obtained in the future for setting up the government's objective of establishing landscape scale 'nature improvement areas' .
- (vii) The Team already worked on landscape scale initiatives including the Thame Valley and Great Ouse Valley, the latter being where the Otter and Water Vole conservation project was underway.
- (viii) that the Council's Green Spaces team also played an important role in influencing the planning process to ensure that the design, delivery and management of new developments ensured that protected and important habitats and species were properly considered and mitigated for. A prime example was this would be the inclusion of a new 100 hectare nature reserve within the proposed developed to the south east of Aylesbury.
- (ix) The Team has secured national recognition for its work on biodiversity and planning, coordinating conservation effort on the rare black poplar tree and for the achievements of the North Bucks Bat Group.

RESOLVED –

- (1) That Officers be thanked for the comprehensive and interesting report to the Committee.
- (2) That the work being done on biodiversity and green infrastructure by the Council, which in turn supported farming and wildlife in the Vale, be noted.

- (3) That Members would consider an offer for the Biodiversity Team to organise site visits to see the work of the Team with farmers.
- (4) That greater publicity be sought for the work of the Team, including articles in the Aylesbury Vale Times.

3. AUDIT OF LEISURE FACILITIES

An audit of Aylesbury Vale's leisure and cultural provision had been carried out in 2012/13 and followed previous assessments of leisure and cultural provision in the Vale based around the Planning Policy Guidance (now National Planning Policy Framework) requirements.

The audit covered a wide range of built and green leisure provision, including indoor and outdoor sports, arts and entertainment centres, community buildings and green spaces. For the first time, the audit had also considered commercial leisure provision and existing and committed provision beyond the district boundaries.

The purpose of the Audit was to guide leisure and cultural provision across the Vale, and in particular to inform provision associated with new housing growth. It took account of the forecast housing growth associated with the Vale of Aylesbury Plan and provided guidance on the gaps in current provision and what would be required based on the forecast growth. Similarly it would serve to inform parish and town councils who were considering their leisure and cultural provision and wish to understand identified gaps in provision.

The Council recognised that a high quality and diverse leisure offer contributed to the economic growth of the Vale, the physical and mental health and well-being of residents and visitors and to delivering sustainable growth.

The Audit report included a summary of nationally recommended standards (Appendix 1). Where suitable the national standards had been applied to assess the current and future need, including Sport England for sports facilities and Natural England for green infrastructure. The standards form the basis for provision on site or off site through financial contributions elsewhere in the Vale. Creating a schedule of leisure and cultural standards enabled developers to take into account the leisure and cultural provision required at the earliest opportunity of their planning delivery, including their viability assessments.

Whilst a wide range of leisure provision had been considered, the audit could not realistically capture all that the Vale had to offer, and did not cover high quality and diverse leisure and cultural interests which reflected heritage and landscape such as National Trust properties, equestrian centres and museums.

Similarly the audit did not capture the huge range of leisure and cultural activities on offer, which included AVDC's leisure programme, town centre events organised by the Aylesbury Town Partnership, town and parish councils and the voluntary and community sector.

The main findings of the audit were as follows:-

- that there were some gaps in provision in the Aylesbury area – 6 badminton courts, a synthetic turf pitch and 8 outdoor tennis courts.

- that there were some gaps in provision in the Buckingham area – a community centre, 3 grass pitches and 3 outdoor tennis courts.
- there was a need for improved management of existing facilities for some categories sports, such as swimming pools, entertainment and arts facilities, outdoor bowls and athletics
- the provision of some facilities such as cinemas, snow centre, ice rink and bowling alleys would be commercial decisions, based for instance on drive time catchments.
- that the provision of some sports facilities such as cricket pitches was more closely linked to the tradition of rural communities, than a fixed standard.
- standards were not set for heritage interpretation or public art but these should be sought as integral parts of the design of new developments.

The information and conclusions regarding additional commercial facilities had also been fed into the draft improvement plan for Aylesbury Town Centre.

Members requested further information and were informed:-

- (i) that having recommended Standards in place made it clear to developers of the Council's expectations for leisure provision for new developments, and also assisted the Council with negotiating with these developers.
- (ii) that Aylesbury Vale had a deficit of green space areas, even for a rural area. However, the position had improved considerably in recent years since the Green Infrastructure Partnership and Strategy had been put in place and with new housing developments..
- (iii) that the Quarrendon Scheduled Ancient Monument was included in the Green Infrastructure Strategy as an important site but as there was only limited public access to this site at the time of the audit, it was not included within the calculations of publicly accessible green space..
- (iv) on the current position regarding the provision of leisure facilities for new developments in the Buckingham area.
- (v) that where suitable standard had been applied to assess the current and future leisure needs, including Sport England for sports facilities and Natural England for green infrastructure. These standards contained both quantitative and qualitative elements.
- (vi) that Leisure Services had also been looking at examples of best practice in leisure provision in other places,
- (vii) that Leisure Services were working with the AVDC Marketing and Communications, to improve local leisure offerings and make Aylesbury a more attractive place for people to live, and to visit through the production of the town improvement plan.
- (viii) Leisure Services led on the tourism work for AVDC and across the county to ensure that Aylesbury Vale was promoted as a visitor destination.
- (ix) that Wheelpower had developed a 10 year plan to develop the Stoke Mandeville Stadium, which the committee might wish to hear about at a future meeting.

RESOLVED –

- (1) That the findings of the leisure audit 2012/13 be noted.

- (2) That the scrutiny committee was fully supportive of efforts being made by AVDC and its Officers to improve the provision of leisure facilities across Aylesbury Vale.
- (3) That Members consider the offer of site visits to see the leisure and cultural facilities in the Vale

4. VALE OF AYLESBURY PLAN (VAP) – DEVELOPMENT MANAGEMENT POLICIES

The Committee had received a report at the last meeting on the Development Management (DM) policies that were being put together as the next component of VAP. A Research Group had been established to act as a Member Sounding Board for the DM policies, and had agreed to look at 4 policy topics, namely:-

- Impact of housing policy on the ageing population, including in rural areas.
- Where the policies might help to increase health outcomes such as healthy life expectancy and the broader determinants of health.
- Relating to sustainable construction and renewable energy.
- The historic environment.

The Research Group had met twice during August 2013 to discuss these 4 topics at some length. This had included examining example policies adopted by other local authorities. As a result, the group had agreed to further research the following:-

- That minimum space standards (both internal and external) were very desirable given the problems experienced on some recent developments within the District. The group considered this would help fulfil the commitment to both improving people's health both physically and mentally.
- Strong support be given for adopting Lifetime Homes Standards in the VAP Delivery Policies document, which may help the ageing population to remain in their own homes should they develop mobility problems etc in later life.
- Need for design policies that cover issues such as car parking, materials, street lighting, bin storage, reducing street clutter, design of public buildings etc. The group considered that we should be aiming for the highest possible design standards within the District.
- We should seek to have a proactive policy for solar power generation provided that proposals do not have a detrimental impact on landscape setting and other constraints. We should consider producing a design standard/guidance note for this, i.e. panels should be height adjustable to enable grazing beneath.
- We need additional policies for dealing with the historic environment and not rely solely on the NPPF. We should also seek to protect non-listed heritage assets together with buildings/places that are local 'landmarks'.

The Research Group was of the view that these DM policies meetings had been a very useful exercise. As such, it was intended that these joint meetings with Members and Officers would continue as further DM policies were developed.

Since the last Research Group meeting, the Government had published a consultation document looking at housing standards nationwide, which would run until November 2013. Officers would be responding to this consultation in the normal manner.

However, an initial assessment suggested that this guidance might significantly constrain what the Council might require in future by way of planning policy.

Members requested further information and were informed:-

- (i) that the Aylesbury Vale District Local Plan contained a policy relating to the sale of the last pub in a village, that Members might wish to take forward, and strengthen, in the Vale of Aylesbury Plan.
- (ii) that communities could use the Community Right to Bid to 'pause' the sale of buildings or land they cared about such as a local pub, shop, library or football pitch. This would give the community time to develop a bid to buy it. However, it was important to nominate land and buildings to be part of a register of 'assets of community value'. If something on the register was then offered for sale, the community then had up to six months to prepare a bid.
- (iii) that the Government consultation was seeking views on the results of the recent review of building regulations and housing standards for England, with a possible view to rationalising the framework of building regulations, guidance, local codes and standards, and to reduce bureaucracy and costs on house builders.

Members agreed that it would be useful for the work of the Research Group to continue and to act as a Member Sounding Board for DM policies as they were developed and, it was –

RESOLVED –

That the initial work undertaken by the DM Policies Research Group be noted.

5. SCRUTINY WORK PROGRAMME

The Scrutiny Committee considered their future Work Programme and were informed that Officers were currently making arrangements for an item on cycling and pedestrian safety to come to the November or December 2013 meeting.

Member discussed and agreed that with effect from the next meeting the Work Programme agenda item should be split into 2 sections. Part 1 would be to agree the current Work Programme and any items to be added/deleted from the programme.

Part 2 would consider questions and any other matters relating to items on the next meeting agenda. For example, the meeting in November 2013, would consider any issues to be raised with, and questions for, the Vale of Aylesbury Housing Trust and the Thames Valley Police at the December 2013 meeting.

RESOLVED –

That the current position of the Work Programme and approach to be taken to considering it at future meetings be noted.