

# Climate Emergency and Sustainability Policy Development and Scrutiny Panel

**Date: Monday, 21st September, 2020**

**Time: 4.00 pm**

**Venue: Via zoom**

**Councillors:** Karen Walker, Tom Davies, Alison Born, Shelley Bromley,  
Sue Craig, Joel Hirst, Lisa O'Brien, Grant Johnson and Dr Kumar



**Michaela Gay**

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## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the Guildhall - Bath.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator.

The Council will broadcast the images and sound live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast) An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

**Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.**

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted.

Arrangements are in place for the safe evacuation of disabled people.

## **6. Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

**Climate Emergency and Sustainability Policy Development and Scrutiny Panel - Monday,  
21st September, 2020**

**at 4.00 pm via zoom**

**A G E N D A**

1. WELCOME AND INTRODUCTIONS
2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS
4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

- (a) The agenda item number in which they have an interest to declare.
- (b) The nature of their interest.
- (c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**,  
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN
6. ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

At the time of publication no notifications had been received.

7. MINUTES (Pages 7 - 14)
8. BATH CLEAN AIR PLAN - SEPTEMBER 2020 UPDATE (Pages 15 - 26)  
  
A report on Bath Clean Air Plan is attached. There will be a presentation on this at the meeting, slides are also attached.
9. BANES LOCAL PLAN PARTIAL UPDATE: CLIMATE EMERGENCY (Pages 27 - 38)

10. TREE AND WOODLAND PLAN UPDATE (Pages 39 - 44)

11. PANEL WORKPLAN (Pages 45 - 48)

This report presents the latest workplan for the Panel. Any suggestions for further items or amendments to the current programme will be logged and scheduled in consultation with the Panel's Chair and supporting senior officers.

The Committee Administrator for this meeting is Michaela Gay who can be contacted on 01225 394411.

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**BATH AND NORTH EAST SOMERSET**

**MINUTES OF CLIMATE EMERGENCY AND SUSTAINABILITY POLICY DEVELOPMENT AND SCRUTINY PANEL MEETING**

Monday, 20th July, 2020

Present:- **Councillors** Karen Walker, Tom Davies, Alison Born, Shelley Bromley, Sue Craig, Joel Hirst, Lisa O'Brien, Grant Johnson and Dr Kumar

**52 WELCOME AND INTRODUCTIONS**

The Chair welcomed Panel members and officers who were attending the meeting via Zoom and members of the public viewing on YouTube.

She explained that other councillors (not on the Panel) were present as they had been invited to attend the meeting, namely Councillor Paul Myers (Chair of the Corporate Panel), Councillor Sarah Warren (Cabinet Member for Climate Emergency and Neighbourhood Services) and Councillor Joanna Wright (Cabinet Member for Transport Services). She added that these councillors were not eligible to vote as part of the Panel.

The Chair added that also present were David Trethewey - Director of Partnership & Corporate Services, Lynda Deane – Senior Manager, Reopening & Renewing High Streets Workstream Lead, Chris Major, Assistant Director – Highways and Transport and Michaela Gay – Democratic Services Officer.

The Chair announced that the meeting was being held under The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. She stated that the Council had agreed a protocol to cover virtual meetings and that this meeting would operate in line with that protocol. She explained that the meeting had the same status and validity as a meeting held in the Guildhall.

**53 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**54 DECLARATIONS OF INTEREST**

There were none.

**55 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

**56 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING**

David Redgewell South West Transport Network made a statement to the Panel regarding Transport matters.

Ceris Humphreys - Pulteney Estate Residents' Association made a statement to the Panel regarding Liveable Neighbourhoods.

Councillor Manda Rigby made a statement to the Panel regarding Liveable Neighbourhoods.

## 57 MINUTES

The Panel confirmed the minutes of the previous meeting, hold on 16<sup>th</sup> March 2020 as a true record.

## 58 OVERVIEW OF THE RENEWAL PROGRAMME WORKSTREAMS

David Trethewey - Director of Partnership & Corporate Services and Lynda Deane – Senior Manager, Reopening & Renewing High Streets Workstream Lead, Emergency Management and Events gave a presentation to the panel which covered the following:

- Renewal Board and Workstreams – outline of approach
- Renewal Workstream Leadership
- Reopening the High Street Safely (Aim and Objectives)
- Reopening and Renewing Our High Streets
- Reopening the High Streets Safely – social distancing measures, access restrictions, retail reopening, licensed premises and visitor attractions
- Reopening Safely Guidance and Support
- Reopening the High Street Safely – Webinars, New Planning and Business Bill and 'I love local' campaign
- Reopening the High Street Safely – Next steps

Panel members asked the following questions and made the following points:

Councillor Hirst raised the following points. *Officer responses are shown in italics:*

- Which Cabinet Member does this sit with? *The Leader and whole Cabinet with Cabinet Members leading on specific parts of the workstreams.*
- What are the timelines? *There are some timelines regarding reopening and we are starting to build timelines into the other programmes.*
- *On the issue of reskilling – unemployment is a current issue, we are working to build a skills hub and are in discussions with WECA and colleges. This can be reported to a future meeting of the Panel.*
- Regarding governance, there is a gap for Bath as it has no forum, we need to find a solution for this. *Every area is different regarding governance, there will be discussions about the gap for Bath.*

Councillor Craig asked that members be kept informed and involved, especially as Bath does not have parish councils. She also asked about contingency plans for

each workstream in case of any future outbreaks. *The officer agreed that engaging with members is important. He explained that public health officers are built into the action plan for each programme.*

Councillor Walker asked if the work done on reopening would bring the High Street back to Bath. *The officer explained that public health has been the priority rather than attracting visitors from elsewhere, but this could now be considered in moving forwards.*

Councillor Born stated that the 'I love local' campaign was good and asked if food outlets with no space for tables and chairs would benefit from a central food court area, signposted in the city where people can eat take away food. *The officer explained that she had been looking at 'parklets' which are areas of benches and seating although finding space is a challenge. She explained that work would start on Kingsmead Square soon.*

Councillor Davies asked if we know how we are doing relative to other authorities and if best practice was being shared. *The officer explained that the BID footfall data showed that the trend is going up and that the area is above average for our comparator cities, particularly at weekends. She explained that she attends the Local Resilience Forum that other cities representatives also attend so best practice can be shared.*

Councillor O'Brien raised the following points. *Officer responses are shown in italics.*

- Why is Milsom Street closed to cars when it is not a narrow street and has been quiet? *This is one of Bath's main shopping areas, we will consult with traders to look towards helping footfall.*
- Keynsham High Street did not qualify regarding the government guidelines on footfall. There was a motion at the Town Council but may have been some misunderstanding, why were businesses themselves not consulted? *We could not consult in the way we had done it previously, there was not time to consult with businesses. Safety was the first concern, there were emergency TROs, we worked closely with the Town Council and are monitoring the scheme.*
- Item 9 mentions that the recovery of tourism could take 3-5 years, is this based on analysis? *This came from colleagues in Heritage Services. Many visitors had been from the US and Far East and it will take time for confidence to return.*
- Why after many years of consultation and analysis have the plans for Keynsham High Street taken a step back for review? *The officer explained that the step back was needed to assess the delivery possibility within the timescales. The 'review' is not a stop, work has not started yet due to the lockdown.*

Councillor Bromley raised the following points. *Officer responses are shown in italics:*

- People will queue outside shops in the current weather, but this may be more of a problem in the Autumn and Winter.
- Some parking spaces for disabled people have been removed – please keep ward Councillors informed of this. *We are aware of the impact of the removal*

*of disabled access parking, we are looking at more blue badge parking and disabled access parking in the city, we are having meetings with accessibility groups.*

Councillor Dr Kumar raised the following points. *Officer responses are shown in italics:*

- Do we have visitor numbers for the Holbourne Museum and Roman Baths? *The Roman Baths had 3,700 visitors as of 6<sup>th</sup> July which is above the target that was set. It is online booking only and running at 30% capacity. Advance tickets for 5,400 have been sold for next week. There is an increase in resident's bookings.*
- The decision has been made to keep the Victoria Art Gallery (VAG) and Assembly Rooms (AR) closed until March 2021 – is it too early to make this decision? *The Internal Recovery Board has to assess whether we are financially able to open a premises. We cannot afford to open the VAG or AR yet.*

Councillor O'Brien asked about the staff who would usually work in the VAG and AR. *The officer explained that these staff are working in the Roman Baths instead of the usual seasonal workers.*

Councillor Craig stated that she welcomed a relaxation on regulations regarding tables and chairs outside of cafes but asked that this be monitored as it can be an equalities issue. She also mentioned that she has asked the public realm team for a map which shows blue badge areas and loading areas. *The officer explained that some residential parking bays may be repurposed to use for blue badge parking and that a map can be produced once these decisions have been made.*

Councillor Craig asked about universities as they make a huge difference to the footfall of pubs and nightclubs. *The officer said that she would be in touch with universities in terms of what their expectations of numbers are, this could also be picked up at the economy board.*

The Panel **RESOLVED** that their above comments be passed on to inform the Cabinet.

## **59 LIVEABLE NEIGHBOURHOODS**

Chris Major, Assistant Director – Highways and Transport, introduced the report.

Panel members asked the following questions and made the following points:

Councillor O'Brien stated that there is an emphasis on cycling and walking which is ok if you live near a centre/shops but this discriminates against people who live in rural areas, blue badge holders and those who cannot walk or cycle. *The officer explained that walking and cycling is being encouraged for those who can do this, we are not saying that cars cannot be used. We are trying to change habits where possible.*

Councillor Born raised the following points. *Officer responses are shown in italics:*

- Welcome that communities are being asked to put forward proposals – the criteria must be clear and central to the consultation and the local proposals must work together across the city.
- Regarding RPS (Residents Parking Schemes) – some areas of Widcombe and Lyncombe are already someway down the track to getting much needed schemes in place and will be concerned if the new strategy causes delay. *A significant amount of time has been lost due to the lockdown, we are behind but we are working on those schemes.*
- Regarding Bear Flat – there are some difficulties with parking for people working in local shops and other businesses. Some were using the regular bus services but these are reduced currently and some people are not confident about using public transport. She requested that staff could have access to permits while Covid measures that make it difficult for them to get to work remain in force. *Workers parking is always an issue, there is a fine balance with residents parking schemes, we are trying to look at it strategically, the LTN (Low Traffic Neighbourhood) scheme should help.*
- It is great to see the plan for EV (Electric Vehicle) charging points, this is welcome, and it is a good idea to use lampposts where they are sited at the front of the pavement. However, we will need to provide a mixture of rapid and slow chargers across all areas.
- *Regarding the query about EV car sharing clubs – this is part of the strategy and is key.*

Councillor Davies raised the following points. *Officer responses are shown in italics:*

- Could we have a brief summary of exactly what is being consulted on? *We are consulting on high level strategic documents which set the direction of travel for the Council.*
- EV (Electric vehicle) charging will be an enormous challenge – the paper mentions that BANES have ruled out the Oxford example of using channels, we should be cautious in ruling things out so early on. *A number of authorities have been forced into decisions, digging channels into footways can cause future problems. We ruled out channels after speaking to maintenance teams.*
- RPS (Residents Parking Schemes) - where are we on the on-street parking vision? *A number of schemes have not been completed due to Covid. All permit policies will be reviewed. There has been a Covid impact on this.*
- LTN (Local Traffic Neighbourhoods) – the flow chart is useful – the consultation should include the criteria. *We have tried to set out the prioritisation assessment (Section 4). The prioritisation process will be clear and transparent.*
- Regarding areas that are suitable for LTNs - this must be agreed before applications are submitted. *We need to consider the impacts, for example it would be hard to deliver an LTN over an arterial route in the city.*

Councillor Grant Johnson asked how the negative impact on local businesses will be mitigated by footfall. *It is a challenge to know how much business is car generated and evidence shows that retailers sometimes overestimate this. We will work with*

*the attractors (retailers). We have seen the positive impact of well-designed schemes – the majority of evidence shows that overall footfall increases.*

Councillor Johnson commented that it will be hard for some people in the city to cycle due to the hills and valleys. He asked if the Council will support residents regarding electric bikes. *This is an active travel policy and not just about cycling. It is about connectivity and people dwelling in areas. We are not saying people cannot use cars but that they may need to use different routes.*

Councillor Bromley stated that there is an assumption that people will be using mass transport and maybe there needs to be more publicity encouraging people to use public transport. *The Government message on public transport is changing now. It has been an unprecedented time for public transport.*

Councillor Craig raised the following points. *Officer responses are shown in italics:*

- There should not be a delay in residents parking schemes. *Work is continuing on these schemes.*
- RPS – could we have paper permits back to run alongside the digital ones as it is easier then, for residents to check vehicles which would help alleviate the pressure on Enforcement resources. *Paper permits are difficult to administer and remove many of the benefits. I understand the point but it would be too challenging to move back.*
- Is there a way to expedite the EV charging scheme. Ask ward members where chargers could be best placed in their ward. People are more likely to switch to electric vehicles if they see spaces and chargers. *We will note the comments. We will also be working with power suppliers.*

Councillor Joel Hirst raised the following points. *Officer responses are shown in italics:*

- It would be great to move forward with EV charging with some pilot sites.
- LTNs are all about making streets feel safer, a game changer. *LTNs are designed to allow journey's to be pleasant.*
- EV charging points have caused frustration in Bath as the pace of getting them fixed is slow. We need to commit to improve this. *The frustrations are noted, there has been a crossover of contracts. We needed to move to a more commercial model.*
- Is it possible for the Council to take control of their local grid? It would be good to have more EV charging points in Park and Ride sites and also to have EV taxis. *We are looking at putting solar panels in Park and Ride sites. We do have our first EV taxi but licensing policy does not allow us to have only EV taxis at this time. Taxis will be Euro 6 compliant which will reduce emissions.*

Councillor Dr Kumar stated that on his street it would not currently be possible to have EV charging points as there are too many cars. Residents parking places could be used. *The officer explained that on street EV charging points are challenging where there are no dedicated bays. We will need to work on the communication as we develop the infrastructure.*

Councillor Walker raised the following points. *Officer responses are shown in italics:*

- How do we support the high street? *Rural businesses and high street businesses are part of the renewal workstream The LTN policy and other pieces of work will help.*
- Commuters and visitors should be encouraged to use Park and Ride sites as residents and contractors need on street parking.
- Some residents live in the pedestrianised areas, they may be affected. *We are not saying that people cannot use cars in an LTN only that they may need to use a more suitable road/route. We will encourage people not to use cars for short journeys.*
- Are the timelines realistic? *They are challenging, we are looking to align resources with our priorities, we want to be ambitious.*
- Some people are still frightened of using public transport. *Hopefully this will change as the national communications are changing on this.*
- EV charging points should be planned in conjunction with RPS. *Agree.*

The Panel **RESOLVED** that:

1. Their above comments be passed on to inform the Cabinet.
2. They note the proposed timeline for adoption of the policies

## 60 PANEL WORKPLAN

The Panel noted items on the future workplan.

The meeting ended at 6.35 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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<b>Bath &amp; North East Somerset Council</b>		
<b>MEETING</b>	<b>Climate Emergency and Sustainability Policy Development &amp; Scrutiny Panel</b>	
<b>MEETING DATE:</b>	<b>21 September 2020</b>	<small>EXECUTIVE FORWARD PLAN REFERENCE:</small>
<b>TITLE:</b>	<b>Bath Clean Air Plan- September 2020 update</b>	
<b>WARD:</b>	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report: None</b>		

**1 THE ISSUE**

1.1 The Panel will be provided with a presentation on the Bath Clean Air Plan and the progress which has been achieved following agreement of the government funding package in July 2020.

**2 RECOMMENDATION**

The Panel is asked to;

2.1 Note the progress made as set out in the presentation.

**3 BACKGROUND**

3.1 The presentation will include information on the following issues:

- Feasibility study
- Government funding package
- COVID-19 impacts
- Infrastructure delivery
- Mitigations

- Next steps

<b>Contact person</b>	<i>Chris Major 01225 394231</i>
<b>Background papers</b>	<p><i>Cabinet report on Bath's Clean Air Plan available on Council's website</i></p> <p><a href="https://democracy.bathnes.gov.uk/documents/s61938/E3212%20Bath%20Clean%20Air%20Plan%20-%20Grant%20Settlement%20-%20July%202020%20FINAL%20FOR%20PUBLICATION.pdf">https://democracy.bathnes.gov.uk/documents/s61938/E3212%20Bath%20Clean%20Air%20Plan%20-%20Grant%20Settlement%20-%20July%202020%20FINAL%20FOR%20PUBLICATION.pdf</a></p>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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# Bath & North East Somerset Council

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**Improving People's Lives**

Climate Emergency and Sustainability Policy Development  
Scrutiny Panel- 21 September 2020



# Bath Clean Air Zone September 2020

- Feasibility study
- Government funding package
- COVID-19 impacts
- Infrastructure delivery
- Mitigations
- Next steps

# Feasibility study

- Poor air quality is the largest known environmental risk to public health in the UK
- Bath has ongoing exceedances of the legal limits for Nitrogen Dioxide (NO<sub>2</sub>) and these are predicted to continue until 2025 without intervention
- The Council remains under a Ministerial Direction to achieve compliance with the legal limit value for NO<sub>2</sub> *in the shortest possible time, and by 2021 at the latest*
- Now the Full Business Case has been approved by central government the feasibility study part of the programme is complete
- The current focus is on implementing the scheme with a view to launching Bath's Clean Air Zone in early 2021

# Government funding package

## Capital for implementing the scheme

Implementation Fund Grant	Funding Request	Funding Award	Difference
Detailed Design & Supervision	372,600	372,600	0
Installation	6,047,538	6,047,538	0
Risk/Contingency Allowance	2,797,605	673,862	-2,123,743
<b>Total</b>	<b>9,217,743</b>	<b>7,094,000</b>	<b>-2,123,743</b>

## Forecast scheme revenue costs and funding awards over the 10-year period modelled

Operating Income	£'000
Operating Revenue	£17,365
Feasibility Study Revenue Grant	£364
Scheme (IF) Revenue Grant	£1,387
Mitigation (CAF) Revenue Grant	£1,320
<b>Total</b>	<b>£20,436</b>
Operating Expenses	
Mitigation (CAF) Operating Costs	£2,461
Scheme (IF) Operating Costs	£14,272
<b>Total</b>	<b>£16,733</b>
Contribution to Sinking Fund to Cover Long-Term Shortfall	£2,804
Contribution to Revenue Reinvestment Reserve (residual monies)	£899

## Capital to mitigate the impact of the scheme

Clean Air Fund Grant	Funding Request	Funding Award	Difference
Bus Upgrades	2,214,486	1,536,000	-678,486
Financial Assistance Scheme	11,222,182	9,350,870	-1,871,312
Last Mile Delivery	805,637	400,000	-405,637
Delivery and Servicing Plans	248,400	0	-248,400
Car Club	89,010	0	-89,010
<b>Total</b>	<b>14,579,715</b>	<b>11,286,870</b>	<b>-3,292,845</b>

## COVID-19 impacts

- Whilst traffic levels fell by around 70% during lockdown they are already back to within 10% of the levels expected at this time of year, with weekend levels being almost back to normal
- New vehicle registrations are down between 40-68% depending on vehicle type, with HDVs being the slowest to recover. This is suppressing natural fleet upgrade rates
- NO<sub>2</sub> concentrations at the continuous analyser locations in Bath only fell by around 20% during lockdown and have now risen, being close to the levels that would be expected at this time of year
- Whilst the minister wrote on 3 April delaying the launch until *no earlier than January 2021*, she also stated that government expected local authorities to continue the work to deliver Clean Air Zones as quickly as possible

- The physical infrastructure comprises two main components: an ANPR cordon combined with a traffic management scheme in Queen Square to moderate the flow of traffic through the NO<sub>2</sub> 'hotspot' in Gay Street
- The traffic management scheme in Queen Square will be complete and operational by October 2020. The square is also being completely resurfaced as part of the works
- The ANPR cordon will be complete and operational by November 2020, leaving just the sign faces to be erected later in the year
- The infrastructure also comprises a back office IT system to establish compliance and process payments. The local systems are currently in the process of being integrated with the government's central IT system. A vehicle checker will also be launched soon

## Mitigations

- A bus upgrade programme with a view to achieving a fully compliant scheduled bus fleet
- A financial assistance scheme providing grants and interest free loans to businesses, individuals and community groups with non-compliant vehicles
- Additional last mile delivery infrastructure (electric cargo bikes, electric vans and local distribution hubs) to support businesses within the zone
- Weight limit and anti-idling enforcement
- A package of exemptions that support vital services, disadvantaged groups and those with hard-to-replace vehicles, along with a means-tested general exemption as part of the financial assistance scheme

## Next steps

- A joint readiness review is currently underway with government with a view to agreeing a revised launch date in early 2021
- Our team of transport and travel advisors are in the process of contacting some 8,500 businesses across B&NES to make sure they are aware of the CAZ and the support available to them to upgrade non-compliant vehicles and avoid charges. This will be followed by a press and radio advertising campaign in the run up to launch. Soft enforcement from November 2020 will also be used to help raise awareness
- Monitoring and evaluation has also commenced (including a government funded 'deep dive' case study being led by IPSOS MORI) with a view to establishing a baseline against which to measure the impact of the scheme



Thank you  
The Bath Clean Air Zone Project Team

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<b>Bath &amp; North East Somerset Council</b>	
<b>MEETING</b>	<b>Climate Emergency and Sustainability Policy Development &amp; Scrutiny Panel</b>
<b>MEETING DATE:</b>	<b>21<sup>st</sup> September 2020</b>
<b>TITLE:</b>	<b>B&amp;NES Local Plan Partial Update: Climate Emergency Policies</b>
<b>WARD:</b>	All
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>	
Annex 1: Note on maximising use of existing policies pending the Local Plan review	

## **1 THE ISSUE**

- 1.1 This report provides an update on the review of the Council's planning policies relating to Climate and Nature Emergency as part of the Local Plan Partial Update. The Local Plan Partial Update will also consider policies to respond to the Nature Emergency, but these are not included part of this report.

## **2 RECOMMENDATION**

- 2.1 **The Panel is asked to comment on the emerging options for amending the Local Plan polices which relate to the Climate Emergency, to be presented for public consultation in early 2021.**

## **3 THE REPORT**

### **Background**

- 3.1 As a result of the withdrawal of the Joint Spatial Plan and the need to address some urgent issues in B&NES a partial update of the Core Strategy and Placemaking Plan (together comprising the Local Plan) is being progressed.
- 3.2 In accordance with national guidance the partial update must be prepared within the context of and without amending the existing spatial priorities of the Core Strategy/Placemaking Plan. Therefore, the Local Plan partial update can only address a limited number of key issues. Otherwise a full Plan review is necessary, and this will need to wait for the WECA Spatial Development Strategy to progress. It is therefore advantageous that the cross-cutting objective of the Core

Strategy/Placemaking Plan is to 'pursue a low carbon and sustainable future in a changing climate'. The Partial Update will most likely cover the following issues:

- Climate emergency – updating and amending policies so that they best facilitate addressing the climate emergency
- Nature emergency – revising/updating policies on ecological enhancement (biodiversity net gain) and green infrastructure
- Housing supply – replenishing housing supply
- Reviewing and redefining parking standards
- Better enabling delivery of affordable housing & meeting other specific housing needs e.g. older persons, custom & self-build
- University accommodation – Revisiting the policy approach in addressing the future development of both Universities and the impact of student accommodation within the city
- Other issues e.g. review existing allocations; the approach to hotel provision; and employment supply, parking standards, 5G masts

3.3 This report provides an update on work on the Climate Emergency policies. The Panel's views are requested on the range of options to be presented for public consultation, not to select a preferred option for inclusion in the Local Plan Partial Update. That will happen at the next stage of the process.

3.4 The current preparation timetable is:

- Options consultation (Jan-Feb 2021)
- Draft Local Plan consultation (June-July 2021)
- Submit Draft Plan for Examination (Sept 2021)
- Examination hearings (Dec 2021)
- Council Adopt Plan (April 2022)

### **Climate Emergency policies to be addressed in the Local Plan Partial Update**

#### ***Zero Carbon Construction***

3.5 The Council's current planning policy (Placemaking Plan Policy SCR1) seeks to reduce carbon emissions in major development by at least 10% through the provision of on-site renewable energy and Policy CP2 sets out the council's policy on sustainable construction. The Sustainable Construction Checklist Supplementary Planning Document went further, setting a 19% carbon reduction as a benchmark. It is proposed to replace policies SCR1 and CP2 with the new zero carbon sustainable construction policy through the Partial Update.

3.6 It is worth noting that National Policy Guidance restricts the level of fabric performance a council can require. The Written Ministerial Statement on Plan Making (March 2015) sets out the government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy efficiency (fabric improvement) requirement of Level 4 of the Code for Sustainable Homes (this is approximately 2019% above current Building Regulations across the build mix). The Government also launched

the Future Homes Standard Consultation at the end of 2019. It aims to require new build homes to be ‘future-proofed’ with low carbon heating and energy efficiency.

3.7 However, if introduced, the Future Homes Standard will not restrict further carbon savings being made through the provision of renewable energy and allowable solutions. The future homes standard will require fabric improvements through building regulations but won’t allow for local authorities to achieve any further carbon savings through fabric performance. This could inhibit our ambitions because improvements in technology makes easier to achieve carbon savings hilst the Future Homes Standard and update to Building Regulations Part L is expected in Autumn, if it is delayed beyond the release of the Partial Review Options consultation, the Options consultation in the New Year will need to consult on two options to achieve zero carbon development depending on the future homes standard along the lines set out below

<p>Scenario 1 – If the Future Homes Standard/Part L revision is not brought forward</p>	<p>It would use an energy hierarchy to achieve zero carbon as follows:</p> <ul style="list-style-type: none"> <li>• A minimum reduction of 10% through fabric performance.</li> <li>• A minimum reduction of 35% through on-site renewable energy.</li> </ul> <p>Then offset what can’t be mitigated on site through financial contributions, at £95 per ton CO2. The offset price has been calculated by the Centre for Sustainable Energy. It has been set at a level where it is most cost effective to focus on fabric improvements and renewable energy but will not make a project unviable.</p>
<p>Scenario 2 – If the Future Homes Standard/Part L revision is brought forward as proposed</p>	<p>It is proposed to set a policy which will still follows the energy hierarchy that fits within building regulations.</p> <p>Fabric improvements would be required by building regulations with the remainder of the carbon reduction required through renewable energy and allowable solutions to achieve zero carbon construction. It is not yet known what the percentage improvement required through building regulation will be.</p>

**Whole Life Cycle Carbon Assessments**

3.8 Whole Life-Cycle Carbon (WLC) emissions are those resulting from the materials, construction and the use of a building over its entire life, including its demolition and disposal. A Whole Life Cycle Carbon assessment provides a true picture of a building’s carbon impact on the environment. For example, it takes account of the embodied energy of the materials.

3.9 Whole Life Cycle Carbon Assessments have been introduced in the Greater London Plan and their policy requires a Whole Life Cycle Carbon Assessment for applications referred to the London Mayor, for development over 150 dwellings. Their policy currently only requires the assessment to be submitted, there is no required threshold

in terms of carbon emissions, however all development is still subject to their sustainable construction policies.

- 3.10 The Greater London Authority have Technical Energy Officers that review the submitted Whole Life Cycle Carbon Assessments, a resource that is not currently available within B&NES. If Whole Life Cycle Carbon Assessments were to be used to require a threshold then further evidence work and viability assessments will be required. Sustainability and Planning Policy Officers from the West of England are in the early stages of reviewing this.

***Roof-mounted/ building integrated scale solar PV and Retrofitting Existing Buildings***

- 3.11 Current Policy SCR2 encourages the retrofitting of existing buildings. It should be noted that many retrofitting measures such as solar panels and insulation do not require planning permission. The policy is supported by the Council's Sustainable Construction and Retrofitting SPD which is scheduled to be reviewed alongside the Local Plan review.
- 3.12 Many smaller scale micro generation projects do not require planning permission. The installation of solar panels is mostly permitted development, but there are restrictions within constrained land such as Conservation Areas, World Heritage Sites, Areas of Outstanding Natural Beauty). Any works to a listed building would require a separate application for listed building consent.
- 3.13 The council's Energy Efficiency and Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings provides more detailed guidance will be reviewed alongside the Local Plan Partial Update. The (Planning) Heritage and Design section of the council's website also links to guidance at local and national level with regards to retrofitting historic buildings.

***District Heating***

- 3.14 Work is progressing on a feasibility study into incorporating district heating into development in the Enterprise Zone in Bath. The Quays projects are 'conditioned' to feed into any future system and district heating has been installed at Bath Western Riverside.
- 3.15 The current policy proposes a district heating network at Keynsham Town Centre. As the majority of land allocated for development in Keynsham town Centre such as the Civic Centre has now been built out incorporating energy efficient buildings, it is unlikely district heating would be brought forward in Keynsham town centre and it is proposed that this part of the policy is removed. Instead, the policy wording will be broadened to allow future schemes to come forward throughout the district.

***Renewable Energy Policy – Wind Energy***

- 3.16 3.16 The Council is committed to increasing local renewable energy generation and Local Plan (Core Strategy) Policy CP3 sets generation targets to achieve 110 Mega Watt (MW) installed electricity capacity and 165 MW heat by 2029. Whilst this target cannot be reviewed to align with the Council's new Climate Emergency ambition until the full review of the Local Plan, monitoring shows that even this target is not being met as only 20.9 MW electricity and 7.4 MW heat are have been available installed as of August 2018 in the district. The current installed capacity only amounts to just 19% of the electricity target and 4% of the heat target. A significant increase in the development of renewable energy is needed to achieve

the policy targets and this can and should be given weight in the determination of planning applications.

3.17 Policy CP3 sets out the approach for assessing proposals for low carbon and renewable energy infrastructure, including large-scale freestanding installations. The policy requires that proposals are assessed under national policies and against the following: a potential social and economic benefits, b community benefits, c the need for secure and reliable energy generation capacity d environmental impact.

3.18 Changes to national policy have occurred since Policy CP3 was adopted. In particular relating to wind energy, the NPPF states that: *“wind energy development involving one or more wind turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing”*.

3.19 The Local Plan could be revised to take a more proactive approach by identifying areas suitable for wind energy development on the Local Plan Policies Map supported by a criterion-based policy. This would give greater certainty as to where such development will be acceptable provided the impacts identified in the policy can be successfully mitigated. This would also need to take in to account environmental sensitivity. This approach would accord with national policy (NPPF)..

3.20 Options for wind energy development to present for consultation include;

Scenario 1 – Allow wind turbines in Moderate-high landscape areas	<ul style="list-style-type: none"> <li>- Greater level (Moderate-high) of landscape harm potentially acceptable</li> <li>- Increase in technical capacity/potential level of power generation</li> <li>- Criteria based policy to allow issues to be addressed at a scheme level/through the development management process.</li> </ul>
Scenario 2 – Allow wind turbines in Moderate landscape areas	<ul style="list-style-type: none"> <li>- Moderate level of landscape harm potentially acceptable</li> <li>- Impact on technical capacity/potential level of power generation</li> <li>- Criteria based policy to allow issues to be addressed at a scheme level/through the development management process.</li> </ul>

3.21 Renewable energy projects, including wind turbines, are restricted under national Green Belt policy and proposals need to demonstrate very special circumstances if to proceed in the Green Belt. Very special circumstances may include the climate emergency declaration and wider environmental benefits associated with increased production of energy from renewable sources. The Council has already published an Informal Guidance Note on renewable energy in the Green Belt to provide greater clarity on this issue

**Electric Vehicle Infrastructure**

3.22 Local Plan Policy ST7 encourages facilities for charging plug-in and other ultra-low emission vehicles in the case of new development proposals. Electric vehicle chargers can be installed under permitted development. Part 2, class C allows for

the installation of a charging unit within a parking area, subject to certain conditions. It does not currently make provision for on street chargers, though it is noted that as technology advances street furniture such as lamp posts can be utilised.

3.23 There is an option to provide active or passive charging. Active charging provides a charger on site when a development is constructed. Passive charging provides the ducting that can easily be connected to a charger when it is required. The advantage of providing 100% active charging means that EV charging is available upon completion of development. However, the passive charging allows for charging to be activated as demand increases and also allows for the latest technologies to be used. The cost of passive charging is much less than active charging.

Option 1 – residential development	Require 100% active charging in development
Option 2 – residential development	Require 20% active charging and 80% passive charging in new development

3.24 It is likely that these proposals will be subject to grid capacity and would need to be installed in consultation with Western Power Distribution. Western Power Distribution have an online network capacity map on their website which can be used to estimate potential grid capacity. Anyone wishing to install a new charger has to make an application to Western Power Distribution.

#### ***Parking Standards***

3.25 A review of the parking standards is critical in meeting the Climate Emergency objectives and it is proposed to remove them from the Local Plan and include them in a Supplementary Planning Document which provides the flexibility to keep them under review.

#### ***Other***

3.26 Other issues include ensuring space for local food growing, reducing the risk of flooding and facilitating sustainable urban drainage systems.

#### **Approach pending the Partial Update**

3.27 Pending the Local Plan Partial Update, the Council will ensure that maximum use is made of existing Climate Emergency policies in considering planning proposals. The approach is set out in Annex 1.

### **4 STATUTORY CONSIDERATIONS**

4.1 The Climate Change Act 2008 It sets out emission reduction targets that the UK must comply with legally. The preparation and review of Local Plans is statutory process governed by regulations. The Local Plan Partial Update is likely to be completed before the new Planning reforms are introduced.

### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 The Partial Review of the Local Plan is funded from the LDF Budget.

## 6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

## 7 EQUALITIES

7.1 The Local Plan Partial Update will entail a bespoke Equalities Impact Assessment, facilitated by public engagement in accordance with the Statement of Community Engagement.

## 8 CLIMATE CHANGE

8.1 This is the substance of this report, see section 3 above

## 9 OTHER OPTIONS CONSIDERED

9.1 The Council could delay updating its planning policies until the full review of the Local Plan is undertaken in 2022/23 but this would prejudice the Council's ability to respond to the Climate and Nature Emergencies.

## 10 CONSULTATION

10.1 The revised planning policies will be subject to a statutory consultation, in accordance with the Council's Statement of Community Engagement, and public examination.

<b>Contact person</b>	<i>Simon de Beer 01225 477616; Richard Daone 01225 47 7546</i>
<b>Background papers</b>	<a href="#"><u>Climate Emergency Progress Report October 2019</u></a> <a href="#"><u>Planning consultation: Local Plan partial update April 2020</u></a>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

# **ANNEX 1: MAXIMISING THE USE OF EXISTING POLICIES PENDING THE LOCAL PLAN PARTIAL UPDATE**

## **1. Introduction**

- 1.1. The Council declared a Climate Emergency in March 2019 and pledged to provide the leadership to enable carbon neutrality in the district by 2030. B&NES Climate Emergency Action Plan (Oct 2019) identifies the priority areas for action:
  - energy efficiency improvement of the majority of existing buildings (domestic and non-domestic) and zero carbon new build;
  - a major shift to mass transport, walking and cycling to reduce transport emissions;
  - a rapid and large-scale increase in local renewable energy generation.
- 1.2. The Council is reviewing its planning policy to facilitate delivery of these objectives. In the meantime, the Council is seeking to ensure that appropriate consideration is given to responding to the Climate Emergency in considering planning proposals. This Note sets out the current provisions within the Local Plan aimed at addressing the climate change challenges and to ensure that these are given appropriate weight which reflects the legal and national policy position on Climate Change, including the new national statutory carbon reduction target introduced since the adoption of the Local Plan in 2014 and council's declaration of a climate emergency.
- 1.3. The National Planning Policy Framework (NPPF) states that the planning system should support the transition to a low carbon future in a changing climate (para 148). Timely progress on the Local Plan update will enable us to prepare new policies which are able to achieve the most positive impact and change, however existing policies of the Local Plan should be implemented as effectively as possible.

## **2. Background**

- 2.1. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. As confirmed by the Courts in recent cases, Climate Change (and air quality) is a material consideration in planning decisions.
- 2.2. The Climate Change Act 2008 was amended in June 2019 to set out a pathway to achieve a reduction in carbon emissions of at least 100% by 2050 compared to 1990 levels. This statutory target was amended from the previous target which sought an 80% reduction in the same time period. It is important to note that the Core Strategy and Placemaking Plan were adopted in the context of the previous target. The current policies need to be applied in the context of the new national target.
- 2.3. Local Authorities have a crucial role to play in helping to achieve carbon neutrality. Through the Declaration, this Council pledged to provide the leadership to make the

district carbon neutral by 2030. As part of this, we have a responsibility through our planning functions to ensure that future growth and development in our district is managed in a way which significantly reduces both production and consumption emissions, especially as new buildings/infrastructure permitted and built now will be likely to still exist when the zero carbon deadline in 2030 in the district and 2050 in the UK is reached.

- 2.4. The National Planning Policy Framework is clear that the planning system should ensure that places are shaped in ways which “*contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*” (paragraph 148). Para 150 states that new development should be planned for in ways which reduce vulnerability to the impacts of climate change and reduce greenhouse gas emissions.

### 3. Core Strategy and Placemaking Plan

- 3.1. The current Development Plan - Core Strategy and Placemaking Plan (2011-2029) recognises the challenges of climate change and includes a cross cutting objective to pursue a low carbon and sustainable future to address climate change and sets out various policies which require new developments to reduce their carbon emissions. There is therefore much that can be done within the provisions of our current Local Plan to contribute to reductions in carbon emissions.

- 3.2. Vision, Objective and key overarching policies

<b>Core Strategy and Placemaking Plan</b>
<b>Vision</b> New jobs and housing will be supported by necessary infrastructure and provided in ways that mitigate the causes and effects of climate change, adapt to unavoidable climatic changes, are resilient to future fossil fuel scarcity and help the District have a low carbon economy.
<b>Plan Objective 1:</b> Cross cutting objective: Pursue a low carbon and sustainable future in a changing climate
<b>DW1 (5) District-wide Spatial Strategy:</b> The overarching strategy for B&NES is to promote sustainable development by requiring development to be designed in a way that is resilient to the impacts of climate change
<b>SD1 Presumption in Favour of Sustainable Development</b> When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

- 3.3 There are a number of specific Development Management policies in relation to tackling climate change which implement the vision, spatial objectives and Policy DW1(5) Spatial Strategy.

#### **Development Plan Policies**

Policy CP1 (Retrofitting existing buildings), Policy CP2 (Sustainable Construction), POLICY CP3:Renewable Energy Targets, POLICY SCR1 (On-site Renewable Energy Requirement), POLICY SCR2(Roof-mounted/ Building integrated Scale Solar PV), POLICY SCR3 (Ground-mounted Solar Arrays), POLICY SCR4 (Community Renewable Energy Schemes), POLICY SCR5 (Water Efficiency), POLICY CP4 (District Heating), POLICY CP5(Flood Risk Management), POLICY SU1(Sustainable Drainage)

#### **Sept 2020 Update**

Evidence prepared following the declaration of the Climate Emergency estimates that 66% of Bath & North East Somerset's carbon emissions come from energy use in existing buildings (38% domestic and 28% non-domestic)<sup>1</sup>, so improving the energy efficiency of existing buildings is a priority. The Council's Sustainable Construction and Retrofitting Supplementary Planning Document provides further guidance on improving existing buildings. For new buildings, the B&NES Sustainable Construction Checklist and Sustainability Statements are used to assess the approach taken to sustainable construction through the planning application process. It is expected that there will be a 19% CO<sup>2</sup> overall emissions reduction from energy efficiency or renewables. As new buildings are likely to be still in operation when carbon neutrality needs to be achieved by 2030 in the district and nationally by 2050, appropriate weight should be given to the nature of building construction in determining planning applications.

The Council is committed to increase local renewable energy generation and Policy CP3 sets generation targets to achieve 110 Mega Watt electricity and 165 Mega Watt heat by 2029. However, the latest monitoring shows only 20.9 Mega Watt electricity and 7.4 Mega Watt heat are available as of August 2018 in the district. The current installed capacity only amounts to just 19% of the electricity target and 4% of the heat target. A significant increase in the development of renewable energy is needed to achieve the policy targets and this can and should be given weight in the determination of planning applications.

POLICY NE3 (Sites, Species and Habitats), NE4 (Ecosystem Services) and NE5 (Ecological Networks), Policy NE6 (Trees and Woodlands), Policy CP7 (Green Infrastructure) and NE1 (Development and GI)

#### **Sept 2020 Update**

National Planning Policy Framework (para 170d) and the draft Environment Bill require net gains for biodiversity. The draft Environment Bill supplements existing legislation and policy on protected sites and species and introduces new incentives, actions and planning tools to drive further improvements for nature. It introduces a mandatory requirement for 10% biodiversity net gain and lays the foundation for the Nature Recovery Network. The draft Environment Bill will be discussed at the Public Bill Committee in Parliament on 25<sup>th</sup> June and could receive royal assent relatively quickly. This mandatory

<sup>1</sup> [the Climate Emergency Study](#) (Oct 2019)  
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net gain for new development will be demonstrated and agreed through the planning application process, therefore this needs to be communicated with applicants as early as possible and should already form part of pre-application advice.

B&NES is part of the West of England Nature Partnership (WENP) who have produced the WoE Nature Recovery Network. In response B&NES will introduce a BNG SPD in advance of the Local Plan update.

**POLICY PCS1: Pollution and Nuisance, POLICY PCS3: Air Quality, POLICY PCS5: Contamination**

**Sept 2020 Update**

Overarching Policy Aims include:

- Minimise use of non-renewable resources and promote the reuse of existing structures and materials
- Minimise land contamination and soil degradation - Minimise/mitigate against effects of pollution (e.g. Air quality, noise, land contamination, light, groundwater)
- Protect and enhance the quality of the underlying groundwater or surface water

Policy PCS1 embodies the 'precautionary principle'. This requires that where there is significant risk of harm to the environment, pollution controls will take into account the need to prevent or limit harm, even where scientific knowledge is not conclusive. Even though the social and health benefits of artificial sports pitches are well known, there are some concerns on the use of artificial sport pitches including their impact on users' health and environment such as water pollution and plastic waste at the end of life. Therefore applications for artificial pitches should be accompanied by a Management Plan explaining the materials used, management arrangement setting out measures to avoid infill materials getting into the drainage and end of the life treatments.

**POLICY ST1: Promoting Sustainable Travel**

**Sept 2020 Update**

29 % of Bath & North East Somerset's carbon emissions come from the transport sector. The Core Strategy and Placemaking Plan already seek to firmly resist housing development in unsustainable locations that is likely to give rise to travel by private car. The Accessibility Questionnaire helps to reduce parking requirements for more sustainable locations. Through the Local Plan Partial Update, it is proposed that the parking standards are set in a Supplemental Planning Document rather than in a Development Plan to enable more flexibility in applying parking standards. The Council is also preparing a Walking and Cycling Supplemental Planning Document.

## 4. Implications

- 4.1. The Council is reviewing and updating the Core Strategy and Placemaking Plan through the Local Plan Partial Update and subsequently Full Review, however until new policies are adopted, it is considered that the most practical course of action within the local planning process is to take steps to give appropriate weight to the relevant Local Plan policies, taking into account national policy and the government's legally binding zero carbon target by 2050. Pending the Local Plan

partial update, the Council will also (subject to resources) prepare SPDs which will develop and complement existing Local Plan policies.

- 4.2. The Council's declaration of a climate and nature emergency means that the policies listed above are key, and the progress in delivering the targets contained in them will have implications for the weight afforded to them in the consideration of planning applications. It must be emphasised that they are not the only important local plan policies for the achievement of sustainable development, but the weight to be attached to them should reflect the sense of urgency to tackle climate change in line with national law and policy and reflected in the council's own climate emergency declaration.
- 4.3 It should be noted that requiring higher sustainability standards and reduced carbon emissions were not part of the viability assessment underpinning the formulation of the Local plan and therefore may lead to applicants raising points about viability in the determination of planning applications.

<b>Bath &amp; North East Somerset Council</b>	
<b>MEETING</b>	<b>Climate Emergency and Sustainability Policy Development &amp; Scrutiny Panel</b>
<b>MEETING DATE:</b>	<b>21<sup>st</sup> September 2020</b>
<b>TITLE:</b>	<b>Tree &amp; Woodland Plan update</b>
<b>WARD:</b>	All
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>	
None	

## **1 THE ISSUE**

- 1.1 The report provides an update on the progress on the preparation of the B&NES Tree and Woodland Plan.

## **2 RECOMMENDATION**

- 2.1 That the Panel note the progress on the preparation of the Tree and Woodland Plan and give its views on the project**

## **3 THE REPORT**

- 3.1 Full Council agreed on the 10th October 2019 to “increase tree cover and develop a clear strategy for planting trees in B&NES”. This was then reflected in a press release on 10th October 2019 when Cabinet member for Climate Emergency and Neighbourhoods stated that B&NES would produce ‘A detailed Tree and Woodland Plan will be produced showing where trees will deliver most benefit and how the planting and future management will be resourced in partnership with communities, volunteers and landowners’ and ‘early ambition of planting 100,000 trees, with partners and communities, by May 2023’.

- 3.2 A plan is needed in order to;

- ensure that the right trees are planted in the most appropriate locations across the district so that they deliver and maximise the benefits eg contributing to ecological resilience, reducing pollution, improving mental

health, provide shade, averting flooding, producing vital oxygen and absorbing carbon dioxide.

- ensure that trees are planted to avoid harm to the landscapes and habitats that are valued for absence of trees eg grassland scarps and open plateau but equally promoting planting of trees in those protected sites/areas where trees would enhance character/replace loss including those at the risk /or where disease – Ash Dieback has already taken hold and the majority of B&NES ash woodlands including those on fringes of Bath that are so important to the green setting of the World Heritage Site.
- to respond to new obligations on the Council. The Environment Bill includes the mandatory requirement for development to deliver 10% biodiversity net gain, produce local nature recovery strategies and potential for ‘responsible bodies to agree Conservation Covenants (voluntary landowner agreements to set aside land for environmental benefit). B&NES will undertake a ‘call for sites’ to address climate and ecological emergencies as part of the Local Plan review process.
- The Tree and Woodland Plan will ensure that links are made to deliver on these requirements and set out where the trees should/could go and how the planting, management and maintenance will be resourced in partnership with communities, volunteers and landowners. The Plan would also identify current Council stock and management costs.

3.3 Council also agreed the resources to fund the costs of preparing the Tree and Woodland Plan through the appointment of a Tree and Woodland Officer. The appointment process began earlier in 2020 but was halted by the Covid-19 Pandemic. Although the process has now resumed, this has resulting in a significant delay to the project. The revised timetable is set out below;

*Tree and Woodland Plan Timetable*

<b>Date</b>	<b>Action</b>
August 2020	Review brief for Tree & Woodland Plan
September 2020	Appoint Tree & Woodland officer/consultant and Tree co-ordinator
October 2020	Prepare Tree & Woodland Plan, review existing tree planting initiatives
November 2020	Public consultation on draft Plan and a launch with early ‘quick wins’ entailing publicity and community engagement tree planting in urban areas, gardens, council property where assessed suitable, liaison with businesses
December 2020	Plan sign-off
January 2021 onwards	Implementation

### 3.4 Objectives for the Tree and Woodland Delivery Plan are to;

- review quality and condition of existing woodlands including Council owned woodland
- identify need and prioritise locations for new woodland and opportunities to link these within and beyond the district
- develop a tree planting plan to define opportunities for street trees and urban woodland
- develop targets for urban and rural woodland cover
- encourage owners to bring existing trees and woodlands into positive management where appropriate and identify Council management costs of managing own stock.
- protect ancient woodlands, veteran and notable trees
- Provide relevant information to set the baseline for monitoring delivery

### 3.5 Notwithstanding the delay, the authorities and WECA have worked together to undertake significant work which has been completed or is progressing that supports the Plan. This includes:

- Adoption of the West of England Joint GI Strategy (JGIS) by the West of England Joint Committee in June 2020. The JGIS Action Plan includes a high level sub-regional Tree and Woodland Strategy to provide the strategic overview needed to progress the B&NES Tree and Woodland Plan. This will support joint bids and delivery of tree and woodland planting on a landscape scale and be an effective use of resources.
- Biodiversity Net Gain Guidance and implementation plan is now forming basis for individual Unitary Authority Planning work and will link with supporting delivery of the West of England Nature Recovery Network (NRN) including woodland.
- The West of England Habitat Project will confirm areas of high interest for further investigation/survey, areas of low interest and areas of uncertainty that may be investigated further as and when opportunity arises.
- The Nature Recovery Network (NRN) Implementation plan is currently being drafted. This will identify projects that include woodland creation and tree planting.
- A number of sub-regional Green Infrastructure projects have been identified which include woodland and tree planting.
- the Council's Parks team has completed an exercise to identify suitable locations for tree planting in council owned parks and green spaces and on highways for the 2020-2021 planting season and (provisionally) for the next four years. This is anticipated to include the planting of up to 4250 trees during the 2020/21 season.
- The Council's Parks Team has been working with the Forest of Avon Trust and others to secure external funding for new tree planting- outlined in section 5.2; and has been progressing with the planting of s106 funded replacement trees across the estate.

- Council officers have been supporting the not for profit community group More Trees for B&NES with their aspirations to create a 'community tree nursery' where volunteers and schoolchildren can help grow some of the trees required for the delivery of this project. Several open spaces in Bath were considered for the scheme, but organisers have now settled on a non-B&NES site for the initiative.
- Ash die back disease is expected to have a significant impact on tree cover in B&NES and it is anticipated that the disease could kill up to 95% of all ash trees across the district. Ash trees make up around 12% of all tree cover in the south west and the replacement of trees lost to ash die back will need to be factored into the Council's target to plant 100,000 (net) new trees. Without resources to replant trees lost to ash die back, the Council's tree planting target will be jeopardised by starting from a 'deficit' position of ash tree numbers.
- An Ash die back Action Plan has been developed which sets out the authority will manage the disease on its land, but resources have yet to be allocated to cover the costs of replacement trees.

#### **4 STATUTORY CONSIDERATIONS**

- 4.1 The Tree and Woodland Plan will assist in delivering the Council's obligations arising from the Climate Change Act 2008. The Government's Climate Change Committee has set a target of doubling tree cover in the UK by 2050 to help increase carbon sequestration. The West of England Nature Partnership, which includes B&NES, through its Nature Recovery Network, has a target of doing so by 2060 and is currently reviewing how that could be brought forward to 2050 (taking account of ash die-back),
- 4.2 The Plan will also help to contribute to the increased obligations for ensuring a net in biodiversity in new development arising from the Environment Bill when enacted.

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 Resource for the preparation of the Tree and Woodland Plan was set aside by Council in the budget for 2020/21. Council also agreed to set aside an additional £75,000 CIL funds for implementation. It is anticipated that the Tree and Woodland Officer should be able to increase this with grant and funding applications.
- 5.2 The £75,000 CIL will potentially be allocated as follows;
- £10,000 – Free tree scheme and Cllr empowerment fund
  - £10,000 to support landowners with top up grants or small scheme funding
  - £5,000 Forest of Avon Trust advisory service
  - £40,000 – Tree & Woodland planting on council owned land
  - £10,000 Community engagement

5.3 The preparation of the Plan requires a cross-service approach as part of the B&NES Green Infrastructure Strategy and Local Plan policy. Other Services have a key role; Parks, Sustainability, and Environment & Design Practice, but also other Services especially Highways and Council departments with landownership responsibilities will be involved as required. The Council will also need to work with its partners/partnerships eg West of England Nature Partnership (WENP) and local communities.

## 6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

## 7 EQUALITIES

7.1 The Tee and Woodland Plan will entail preparation of an Equalities Impact Assessment, for example to ensure that tree planting in urban areas takes into account access for wheelchair users. This will be facilitated by public engagement on the draft Tree and Woodland Plan.

## 8 CLIMATE CHANGE

8.1 The Tree and Woodland Plan will directly help with the Climate and Ecological Emergency through increasing biodiversity, facilitating sequestration of carbon, a potential renewable energy source and increasing resilience to climate change through flood risk mitigation and shading.

## 9 OTHER OPTIONS CONSIDERED

9.1 The Council could decide not to prepare a Plan but without a Plan for tree planting, some tree planting can inadvertently be harmful through planting the inappropriate types of trees or planting in the wrong locations. The Plan will also provide a basis for community engagement and funding bids.

## 10 CONSULTATION

10.1 The preparation of the plan will entail community engagement before sign-off as described in section 3 above.

<b>Contact persons</b>	Simon de Beer 01224 477616; Richard Daone 01225 477546, Carol Maclellan 01225 39 4106
<b>Background papers</b>	B&NES Climate Emergency Progress Report October 2019.
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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## CLIMATE EMERGENCY AND SUSTAINABILITY

This Forward Plan lists all the items coming to the Panel over the next few months.

Inevitably, some of the published information may change; Government guidance recognises that the plan is a best assessment, at the time of publication, of anticipated decision making. The online Forward Plan is updated regularly and can be seen on the Council's website at:

<http://democracy.bathnes.gov.uk/mgPlansHome.aspx?bcr=1>

The Forward Plan demonstrates the Council's commitment to openness and participation in decision making. It assists the Panel in planning their input to policy formulation and development, and in reviewing the work of the Cabinet.

*Should you wish to make representations, please contact the report author or, Democratic Services (). A formal agenda will be issued 5 clear working days before the meeting.*

*Agenda papers can be inspected on the Council's website and at the Guildhall (Bath), Hollies (Midsomer Norton), Civic Centre (Keynsham) and at Bath Central, and Midsomer Norton public libraries.*

Ref Date	Decision Maker/s	Title	Report Author Contact	Director Lead
<b>21ST SEPTEMBER 2020</b>				
21 Sep 2020	Climate Emergency and Sustainability Policy Development and Scrutiny Panel	Tree and Woodland Plan Update	Simon De Beer Tel: 01225 477616	Director Environment
21 Sep 2020	Climate Emergency and Sustainability Policy Development and Scrutiny Panel	Bath Clean Air Plan - September 2020 Update	Cathryn Brown Tel: 01225 477645	Director Environment
21 Sep 2020	Climate Emergency and Sustainability Policy Development and Scrutiny Panel	BANES Local Plan Partial Update: Climate Emergency Policies	Simon De Beer Tel: 01225 477616	Director Development and Public Protection
<b>16TH NOVEMBER 2020</b>				
16 Nov 2020	Climate Emergency and Sustainability Policy Development and Scrutiny Panel	Air Quality Action Plan for Farrington Gurney and Temple Cloud	Cathryn Brown Tel: 01225 477645	Director Development and Public Protection

<b>Ref Date</b>	<b>Decision Maker/s</b>	<b>Title</b>	<b>Report Author Contact</b>	<b>Director Lead</b>
16 Nov 2020	<b>Climate Emergency and Sustainability Policy Development and Scrutiny Panel</b>	<b>Renewal Programme Workstreams</b>	John Wilkinson Tel: 01225 396593	Director Environment
16 Nov 2020	<b>Climate Emergency and Sustainability Policy Development and Scrutiny Panel</b>	<b>Bath Action Plan</b>		
<b>ITEMS TO BE SCHEDULED:</b>				
	<b>Climate Emergency and Sustainability Policy Development and Scrutiny Panel</b>	<b>Littering Review (progress report)</b>	Pam Jones Tel: 01225 394352	Director Environment
	<b>Climate Emergency and Sustainability Policy Development and Scrutiny Panel</b>	<b>Discovery Card Review</b>	Stephen Bird Tel: 01225 477750	Director of Economy & Growth

Ref Date	Decision Maker/s	Title	Report Author Contact	Director Lead
	<b>Climate Emergency and Sustainability Policy Development and Scrutiny Panel</b>	<b>Bath Quays North Regeneration</b>	John Wilkinson Tel: 01225 396593	Director of Economy & Growth
The Forward Plan is administered by <b>DEMOCRATIC SERVICES:</b> <a href="mailto:Democratic_Services@bathnes.gov.uk">Democratic_Services@bathnes.gov.uk</a>				