



Meeting: Environment Directorate - Corporate Director & Executive Member for Managing our Environment

To: Councillor Greg White

Date: Friday, 28th July, 2023

Time: 3.00 pm

Venue: Via Microsoft Teams

AGENDA

Executive Member Decision

1. North Yorkshire Council's acceptance as Responsible Authority for the North Yorkshire and York Local Nature Recovery Strategy (LNRS) (Pages 3 - 12)

Corporate Director Decision

2. Confidential Report - Allerton Waste Recovery Park Annual Performance Report 2022-23

Maureen Wilson
Environment Directorate

County Hall
Northallerton

maureen.wilson@northyorks.gov.uk

Date Not Specified

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North Yorkshire Council

Environment Directorate

Executive Members

28 July 2023

North Yorkshire Council's acceptance as Responsible Authority for the North Yorkshire and York Local Nature Recovery Strategy (LNRS)

Report of the Assistant Director - Environmental Services and Climate Change

1.0 PURPOSE OF REPORT

- 1.1 To recommend that the Executive Member for Managing the Environment, following consultation with the Corporate Director of Environment, Corporate Director of Resources and the Assistant Chief Executive (Legal and Democratic Services) authorises the acceptance of £388,000 of funding from Defra, to support work on preparing and publishing the LNRS.

2.0 BACKGROUND

- 2.1 Local Nature Recovery Strategies (LNRS) are a new, England-wide system of spatial strategies established by clauses 104 to 108 of the Environment Act 2021.
- 2.2 They are designed as tools to drive more coordinated, practical and focussed action to help nature. Each Strategy will, for the area that it covers:
- agree priorities for nature's recovery,
 - map the most valuable existing areas for nature,
 - map specific proposals for creating or improving habitat for nature and wider environmental goals.
- 2.3 In March 2022, following endorsement by the Executive, NYCC confirmed to Defra that it was content to be identified as the provisional Responsible Authority (RA) for the production of a combined LNRS covering North Yorkshire and the City of York.
- 2.4 At that time it was expected that formal LNRS regulations and guidance along with confirmation of promised 'additional burdens' funding to facilitate RAs work in developing and delivering LNRSs would be available within a few months. However, there have been further significant delays in confirming these matters with the publishing of the secondary Regulations and Statutory Guidance in March 2023 and full roll-out of the LNRS process from June 2023.
- 2.5 On 26 June 2023, Defra wrote to North Yorkshire Council to appoint the authority as the Responsible Authority (RA) to lead production and publishing of the Local Nature Recovery Strategy (LNRS) covering the whole administrative county of North Yorkshire and the City of York.

3.0 FINANCIAL IMPLICATIONS

- 3.1 During early 2022, Defra provided £16,500 of seed funding in the form of a Section 31 grant to each provisional Responsible Authority. This was revenue funding and was intended to

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help facilitate preparations and preparedness and was provided ahead of (and in addition to) further resourcing confirmation associated with the full roll-out of LNRS.

- 3.2 Defra then provided additional revenue seed funding of £32,500 in December 2022 per provisional RA to support ongoing preparatory work on the LNRS. This funding was paid as a Section 31 grant. There was no match funding required as a result of accepting the grant.
- 3.3 The financial offer forming part of the appointment for preparation and publishing of the LNRS covering North Yorkshire and York is revenue funding of £388,000. There is no match funding required as part of the grant however due progress should be demonstrated to DEFRA and Natural England on the development of the strategy. This funding is for financial years 2023/24 and 2024/25 with all grant monies to be spent by 31 March 2025. Information from Defra notes no clawback provisions on the grant.
- 3.4 The funding will be used to cover the salaries of North Yorkshire Council's LNRS Project Manager and LNRS Project Officer, it will make contributions to some of the costs of the LNRS Supporting Authorities (City of York Council, Yorkshire Dales National Park Authority and North York Moors National Park Authority) and any consultant costs.

4.0 LEGAL IMPLICATIONS

- 4.1 The letter from Defra dated 26 June 2023 has been reviewed by Legal, should any further grant terms be issued these will be reviewed by Legal.

5.0 EQUALITIES IMPLICATIONS

- 5.1 An Equalities Impact Assessment has been completed, see Appendix A.
- 5.2 No equalities issues are raised by the matters addressed in this report.

6.0 CLIMATE CHANGE IMPLICATIONS

- 6.1 A Climate Change Impact Assessment has been completed, see Appendix B.
- 6.2 The matters addressed in this report do not directly impact on the Council's response to climate change. However, improvements to nature recovery and biodiversity arising from measures identified in the LNRS, once this is in place and influencing future actions, are likely to be beneficial both in terms of helping to mitigate further damaging climate change and in helping the natural environment adapt to unavoidable climate change impacts.

7.0 RECOMMENDATION

- 7.1 That the Executive Member for Managing the Environment following consultation with the Corporate Director of Environment, Corporate Director of Resources and the Assistant Chief Executive (Legal and Democratic Services) authorises the acceptance of the grant of £388,000 from Defra.

MICHAEL LEAH
Assistant Director Environmental Services and Climate

Report Author – Tim Johns, Senior Policy Officer

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	BES		
Service area	Environmental Services and Climate Change		
Proposal being screened	Approval to accept Defra grant to prepare and publish the Local Nature Recovery Strategy (LNRS) for North Yorkshire and City of York. NYC is the designated provisional Responsible Authority for this LNRS.		
Officer(s) carrying out screening	Tim Johns, Senior Policy Officer		
What are you proposing to do?	Accept £388,000 of revenue funding from Defra for the preparation and publishing of the LNRS		
Why are you proposing this? What are the desired outcomes?	Secure additional resource to support work on the LNRS		
Does the proposal involve a significant commitment or removal of resources? Please give details.	Acceptance of this grant will secure significant additional resource for NYC to undertake work on the LNRS, a new statutory provision arising from the Environment Act 2021.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	No	Yes	
Age	X		
Disability	X		
Sex	X		
Race	X		
Sexual orientation	X		
Gender reassignment	X		
Religion or belief	X		
Pregnancy or maternity	X		
Marriage or civil partnership	X		
NYC additional characteristics			
People in rural areas	X		
People on a low income	X		
Carer (unpaid family or friend)	X		
Are from the Armed Forces Community	X		
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	Funding will support preparation and publishing of the LNRS covering the whole of North Yorkshire and City of York. Measures identified in the LNRS may offer some		

	opportunities to improved access to the natural environment for all communities.			
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:	<input type="checkbox"/>
Reason for decision	No significant equalities impacts identified			
Signed (Assistant Director or equivalent)	Michael Leah			
Date	03/07/23			

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Local Nature Recovery Strategy (LNRS) – S31 funding
Brief description of proposal	Proposed acceptance by NYC of S31 grant to support the preparation and publishing of the LNRS covering North Yorkshire and City and York
Directorate	Environment
Service area	Environmental Services and Climate Change
Lead officer	Tim Johns, Senior Policy Officer
Names and roles of other people involved in carrying out the impact assessment	n/a
Date impact assessment started	03/07/23

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Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

LNRSs are a new statutory provision under the Environment Act 2021. NYC has been identified as the Responsible Authority to produce the LNRS covering North Yorkshire and City of York.

Defra provided £16,500 of seed funding to start work on LNRS preparation in March 2022 – that offer was accepted by NYCC. A further allocation of £32,500 of revenue funding was notified by Defra on 28/11/22. Authorisation is now sought to accept the S31 grant of £388,000 which will support the preparation and publishing of the LNRS by March 2025.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The S31 grant of £388,000 will be cost neutral in terms of impact on council budgets.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel	X				
	Emissions from construction	X				
	Emissions from running of buildings	X				
	Other					
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		X				
<p>Reduce water consumption</p>		X				<p>maximising opportunities and avoiding adverse impacts.</p>

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise pollution (including air, land, water, light and noise)</p>	<p>X</p>					
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	<p>X</p>			<p>Improvements to nature recovery and biodiversity arising from measures identified in the LNRS, once this is in place and influencing future actions, are likely to be beneficial both in terms of helping the natural environment adapt to unavoidable climate change impacts.</p>		
<p>Enhance conservation and wildlife</p>	<p>X</p>			<p>Improvements to nature recovery and biodiversity arising from measures identified in the LNRS, once this is in place and influencing future actions, are likely to be beneficial both in terms of helping to mitigate further damaging climate change and in helping the natural environment</p>		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
				<p>adapt to unavoidable climate change impacts.</p>		
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>	X			<p>The measures identified in the LNRS may provide substantial benefits in terms of enhancing and adding to the diversity of North Yorkshire's landscape.</p>		
<p>Other (please state below) Consulting the general public on nature recovery and wider benefits to people and wildlife species</p>	X			<p>Raising awareness about nature recovery and signposting to opportunities for volunteering and activism to support improvements to habitats and species.</p>		

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

Development of the LNRS for North Yorkshire and City of York will follow best practice that is being developed across the country including lessons learnt from five LNRS pilot projects funded by Defra.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Acceptance of this Section 31 grant funding to support preparation and publishing of the LNRS will provide significant additional revenue funding to support ongoing preparatory work that will help to ensure the LNRS is fit for purpose and delivers on the potential to bring substantial benefits as outlined.

Sign off section

This climate change impact assessment was completed by:

Name	Tim Johns
Job title	Senior Policy Officer
Service area	Environmental Services and Climate Change
Directorate	Environment
Signature	Tim Johns
Completion date	03/07/2023

Authorised by relevant Assistant Director (signature): Michael Leah, Assistant Director – Environmental Services and Climate Change

Date: 03/07/2023