

North Yorkshire County Council
Business and Environmental Services

Executive Members

20 January 2023

**Appointment of North Yorkshire County Council as the Responsible Authority for
Local Nature Recovery Strategy covering North Yorkshire and City of York –
continuation of provisional offer and acceptance of additional seed funding from
Defra**

Report of the Assistant Director – Growth, Planning and Trading Standards

1.0 Purpose Of Report

- 1.1 To update the Executive Member for Open to Business on an approach from Defra to North Yorkshire County Council (NYCC) reaffirming provisional appointment of NYCC as the Responsible Authority (RA) to lead production of a Local Nature Recovery Strategy (LNRS) covering the whole administrative county of North Yorkshire and the City of York.
- 1.2 To seek approval to accept a further £32,500 of funding from Defra to support preparatory work on 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 RA’s work in developing and delivering LNRSs would be available within a few months. However, there have been further significant delays in confirming these matters and full details are now expected early in the new year – with full roll-out of the LNRS process from April 2023.
- 2.5 On 28 November, Defra wrote to provisional LNRS Responsible Authorities with an update on the likely timetable and to seek confirmation that those organisations are content to remain as the provisional RA for their LNRS area. It was stated in that email that this confirmation would facilitate payment of a further Section 31 Grant. On 6 December the Corporate Director - Business and Environmental Services confirmed that position on behalf of NYCC.

3.0 Finance

- 3.1 Earlier in the year, Defra provided £16,500 of seed funding in the form of a Section 31 grant to each provisional Responsible Authority. This is revenue funding and was intended to 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 In light of the further delay to full roll out of LNRS, Defra has now proposed additional revenue seed funding of £32,500 per provisional RA to support ongoing preparatory work on the LNRS. This funding will be paid as a Section 31 grant. There is no match funding required as a result of accepting the grant.
- 3.3 The full sum available as 'additional burdens' funding from DEFRA to support the RA's work in producing LNRSs is still not confirmed. Five pilot LNRS areas were given £240,000 to develop their strategies but there is no further indication yet as to the full amount of new resource offered.
- 3.4 Any final financial offer associated with the formal invitation to be appointed as the RA will be the subject of a further report.
- 3.5 It is likely that this will be a significant amount of work involving staff time and commissioning of specialist work; however, the LNRS guidance has still not been issued and the detailed implications cannot therefore be confirmed at this point.
- 3.6 It is intended that when further details are known an update report will be provided to the Executive Member for Open to Business.

4.0 Legal

- 4.1 This ongoing provisional offer of appointment as the RA is made at official level. Any formal offer made by DEFRA and any grant terms which become available in future will be considered by NYCC legal services and recommendations will be put forward to Members in due course.

5.0 Equalities

- 5.1 An Equalities Impact Assessment has been completed, attached as Appendix 1.
- 5.2 No equalities issues are raised by the matters addressed in this report.

6.0 Climate Change

- 6.1 A Climate Change Impact Assessment has been completed, attached as Appendix 2.
- 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 Recommendations

- 7.1 It is recommended that the Executive Member for Open to Business, after consultation with the Corporate Director – Business and Environmental Services:

authorises the Corporate Director - Strategic Resources to accept a further Section 31 Grant of £32,500 offered by Defra to support ongoing work on the LNRS covering North Yorkshire and City of York.

David Caulfield
Assistant Director - Growth, Planning and Trading Standards

Author of Report:
Hugh Clear Hill, Principal Environmental Policy and Project Officer, NYCC

Appendices

- 1 Equalities Impact Assessment
- 2 Climate Change Impact Assessment

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	Growth, Planning and Trading Standards		
Proposal being screened	Approval to accept Defra grant to support work on Local Nature Recovery Strategy (LNRS) for North Yorkshire and City of York. NYCC is the designated provisional Responsible Authority for this LNRS.		
Officer(s) carrying out screening	Hugh Clear Hill, Principal Environmental Policy and Projects Officer		
What are you proposing to do?	Accept £32,500 of revenue seed funding from Defra for LNRS preparatory work		
Why are you proposing this? What are the desired outcomes?	Secure additional resource to support preparatory 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 NYCC to undertake work on the LNRS, a new statutory provision arising from the Environment Act 2021.		
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</p> <p>As part of this assessment, please consider the following questions:</p> <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? <p>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.</p>			
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		
NYCC additional characteristics			
People in rural areas	X		
People on a low income	X		
Carer (unpaid family or friend)	X		
Does the proposal relate to an area where there are known inequalities/probable	Funding will support preparatory work on the LNRS covering the whole of North Yorkshire and City of York. Measures identified in the LNRS may offer		

APPENDIX 1

<p>impacts (e.g. disabled people's access to public transport)? Please give details.</p>	<p>some opportunities to improved access to the natural environment for all communities.</p>			
<p>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.</p>	<p>No</p>			
<p>Decision (Please tick one option)</p>	<p>EIA not relevant or proportionate:</p>	<p align="center">X</p>	<p>Continue to full EIA:</p>	
<p>Reason for decision</p>	<p>This report is solely related to the acceptance of additional DEFRA funding. As a consequence, there are no impacts on people with protected characteristics.</p>			
<p>Signed (Assistant Director or equivalent)</p>	<p><i>David Caulfield, Assistant Director – Growth, Planning and Trading Standards</i></p>			
<p>Date</p>	<p>15/12/22</p>			



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 seed funding
Brief description of proposal	Proposed acceptance by NYCC of additional S31 grant to support preparatory work on LNRS covering North Yorkshire and City and York
Directorate	BES
Service area	Growth, Planning and Trading Standards
Lead officer	Hugh Clear Hill, Principal Environmental Policy and Projects Officer
Names and roles of other people involved in carrying out the impact assessment	n/a
Date impact assessment started	15/12/22

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. NYCC has been identified as the provisional Responsible Authority to produce the LNRS covering North Yorkshire and City of York.

Defra provided £16500 of seed funding to start work on LNRS preparation in March 2022 – that offer was accepted by NYCC. A further allocation of £32500 of revenue funding was notified by Defra on 28/11/22. Authorisation is now sought to accept this additional funding which will further support preparatory work on the LNRS before detailed guidance and regulations are published, now expected to happen in Spring 2023. Detail of promised ‘additional burdens’ funding to support full delivery of the LNRS is also awaited from Defra.

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 £32,500 of additional seed funding will be paid to NYCC as a Section 31 revenue grant. Together with the initial seed funding of £16500 paid in March 2022, this means the funding provided for preparatory work on the LNRS will total £49,000.

<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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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>	X			<p>In itself, preparing the LNRS will not have direct benefits in terms of helping to minimise pollution. 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 reduce pollution impacts on air, water and land.</p>		
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	X			<p>In itself, preparing the LNRS will not direct benefit climate resilience. 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 the</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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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>natural environment adapt to unavoidable climate change impacts.</p>		
<p>Enhance conservation and wildlife</p>	X			<p>In itself, preparing the LNRS will not direct benefit conservation and wildlife. However, improvements to nature recovery and biodiversity arising from measures identified in the LNRS, once this is in place and influencing future actions, will have clear benefits for conservation and wildlife.</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>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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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>Other (please state below)</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 further funding to support preparatory work on the LNRS will not have any direct climate change impacts. However, if funding is accepted by NYCC, that 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	Hugh CLEAR HILL
Job title	Principal Environmental Policy and Projects Officer
Service area	Growth, Planning and Trading Standards
Directorate	BES
Signature	<i>Hugh Clear Hill</i>
Completion date	21/12/2022

Authorised by relevant Assistant Director (signature): David Caulfield, Assistant Director – Growth, Planning and Trading Standards

Date: 21/12/2022