

ADEPT Natural Capital and Heritage Working Group

Meeting

16th January 2023, 10.00am-12.00pm

MINUTES

1. Introductions, apologies and actions from last meeting

Sylvie Allan (Environment Agency)	Timothy Johns (North Yorkshire)
Don Baker (West Sussex)	Adam Lathbury (Derbyshire)
Garreth Bruff (PAS)	Natasha Markham (North Yorkshire)
Andrew Canning-Trigg (Forestry Commission)	Liz Milne (Kent)
Quinton Carroll (Cambridgeshire)	Krista Patrick (PAS)
Peter Chamberlain (Devon)	Jeremy Pickles (East Riding)
William Cole (Natural England)	Mike Oxford (Plymouth)
Anna Collins (Natural England)	Karen Renshaw (Bath and NE Somerset)
Simon Cridland (Bracknell Forest)	Tim Simpson (Essex)
David Dale (ADEPT)	Adam Stewart (Defra)
Jim Davies (Environment Agency)	Heather Stokes (Nottinghamshire)
Tim De-Keyzer (Suffolk)	David Sutherland (Buckinghamshire)
Hannah Hyland (Environment Agency)	Lynn Trigwell (Wiltshire)
Ruth Hughes (Environment Agency)	Angela Wakefield (Cumbria)
Allison Jean (Environment Agency)	

Apologies: Liz Small (North Yorkshire), Hugh Clear Hill (North Yorkshire), Rebecca Moberly (PAS), Peter Moore (Reading)

Actions from last meeting:

- Adam Stewart to seek clarification over any restrictions for BNG delivery on council-owned land. Complete - PAS FAQ answer on this topic is as much Defra can say about this at this point.
- Discuss local government budget concerns and the risk this places on environmental capacity with Environment Board to discuss more broadly whether there is any action ADEPT should be taking in respect of this matter. Complete - impact on place services generally discussed through ADEPT, including survey of members. David to follow up results of survey and share with group.

2. Local Nature Recovery Strategies

2.1 Environment Agency role in Local Nature Recovery Strategies

See presentation received from Jim Davies (EA), Will Cole (NE) and Andrew Canning-Trigg (FC).

The LNRS:

- Builds on a lot of existing work and partnerships.
- Is a driver for climate resilience and adaptation, sustainable healthy places and wellbeing; provides a strategic platform for natural solutions to climate change.
- Will support catchment scale planning and working on a catchment basis.

- Will have a role in regeneration and green infrastructure.
- Can be used to identify tree cover opportunities when mapping against air quality, heat etc climate impacts.
- Provides a strategic approach to natural capital.
- Provides opportunity mapping.
- Will inform planning – will link in and sit alongside.

For the Defra arms length bodies, Natural England is first point of contact for LNRS but all will be involved in its development. Environment Agency will have duty of regard to LNRS.

Discussion:

- Changes to planning system and removal of SPDs in future – this will lead to a void of local guidance, which poses an inherent risk. Need clarity on links between LNRS and BNG and planning reform. Noted that there will be statutory guidance on how planning authorities should use LNRS in planning.
- Who “owns” the strategy – responsible authority is responsible for development but should it be owned by all local partners. Does Strategy need delivery plan to sit under it, with responsibility identified. LNRS should be influencing local direction and making partners take ownership but a delivery plan will not be a statutory requirement – will be for local level to decide (noted that all the pilots developed a delivery plan).
- Any knowns on the timescale yet? Resulting in difficulties in linking in with local plan reviews. No hard deadline for delivery. Elements such as strategic priorities and areas that are emerging can be used in interim in local plans.
- What are RAs spending their seed money on?
 - Recruitment – dedicated project officer. Noted that recruitment is going to be difficult.
 - Comms and engagement plan
 - Noted that money can be carried over and that Defra will be asking RAs to return info on how they are spending the seed funding
 - Data audit and gap analysis.
 - Mapping
 - Web development.
 - Bucks have seen the value and potential of the LNRS. Capacity was an issue for the pilot – so using funding to bolster partner capacity.
- Can we have an idea of timelines for regs and guidance, so we know how long we have to review and digest before commencement in April.
- Planners are really keen to hear from DLUC now on how LNRS links into local planning (and BNG).
- Ministers are working through the draft LNRS and BNG regs and guidance but cannot give a definitive date.
- NE developing a network and online resource for RAs, plus support for cross border working. Noted that Q&A on PAS website for BNG is really helpful and something like this for LNRS would be welcomed. PAS NRN project noted it is working with NE and Defra on some FAQs that have come up during events, which will be uploaded shortly (link copied in notes below). Need to make sure PAS work doesn't duplicate what NE are intending to do.
- Sitting tight isn't necessarily working for LPAs who are doing their own things with targeting BNG and supporting policy.

2.2 PAS NRN update

See presentation from Krista Patrick.

In summary:

- Working on case studies.
- Nature recovery page on PAS website is now added – includes a library of good practice examples of nature recovery.
- Emerging insights:
 - Clarity and certainty of funding
 - Embedding nature into wider corporate priorities
 - Value of coordination and partnership
 - Variety of timetables and frameworks
 - Importance of regs, guidance and governance.
 - Evidence and consistent data and the resources to interpret it.

In the discussion it was noted that a session to help elected members understand the benefits of nature recovery would be really helpful.

Noted that PowerPoints and recordings from our previous BNG and nature recovery event can be found at: <https://www.local.gov.uk/biodiversity-net-gain-and-nature-recovery-autumn-2022-events>

Weblinks circulated for group's reference after the meeting:

<https://www.local.gov.uk/pas/topics/environment/nature-recovery-local-authorities>
<https://www.local.gov.uk/pas/topics/environment/nature-recovery-local-authorities/nature-recovery-emerging-insights-snapshot>
<https://www.local.gov.uk/pas/topics/environment/nature-recovery-local-authorities/examples-local-authorities-delivering>

And just published, the nature recovery which include a focus on LNRS. More to add after the regional RA webinars <https://www.local.gov.uk/pas/topics/environment/nature-recovery-local-authorities/nature-recovery-faqs>

3. PAS BNG project

Noted that PowerPoints and recordings from our previous BNG and nature recovery event can be found at: <https://www.local.gov.uk/biodiversity-net-gain-and-nature-recovery-autumn-2022-events>

See presentation from Gareth Bruff, regarding the work of the PAS project in 2023.

Noted that ongoing work includes:

- Updating and managing web resources.
- Practitioner network.
- EA river metric training.
- Developing more case studies.
- Wider stakeholder engagement – e.g. RTPi; enforcement and legal; and private and third sector, who can support planning authorities.

What's next:

- Essential planning duties in Environment Act.
- Targeted support for different LPA groupings, considering experience and knowledge.
- Tools and resources for LPAs to use themselves, in addition to training and information.
- BNG readiness checklist and toolkit to review LPA services.
- BNG essentials training module for others to use.
- Topic based training.

Discussion:

- Project thanked for all its work and support – has proven really valuable, especially the Basecamp forum. The discussions on basecamp are really useful when trying to work through the questions thrown up by preparations. It was noted that funding had been extended to March 2024.
- Regional workshops were suggested.
- Questions over how BNG register will work – would be a useful training session once more is known.
- Noted that BathNES has just adopted its BNG policy.
- Prediction of offsite demand – how to do this? Noted that the next PAS session is on offsite delivery.
- Monitoring/recording/reporting and enforcement topics for training would be welcomed. How does this work on and offsite; and out of area/region?
- How do we ensure that a development's own sourced offsite option is appropriate – what assurances and standards are there? Need for national approach. NE assurances project noted.
- Cumbria have commissioned work to answer some of the questions regarding BNG delivery. Will share in due course.

Action: Karen to share BNG policy with group.

Action: Angela to share BNG delivery report when complete.

Noted that if authority isn't already on the PAS BNG officer network (Basecamp), email Megan Kidd Megan.Kidd@local.gov.uk to sign up.

4. Environment Act

4.1 Biodiversity Net Gain

- Expecting metric 4.0 to be released in February.
- Expecting Government response to BNG consultation soon – with Ministers.
- Noted that the national BNG credit prices are expected to be published in Spring in order to give stakeholders as much advanced visibility before mandatory BNG in November.
- Query over BNG requirements for public funded projects and permitted development – e.g. DfT projects.

Action: Adam to take query regarding BNG requirements for funded projects and permitted development back to relevant Defra teams.

4.2 Local Nature Recovery Strategy

- Expecting secondary legislation and guidance to be published soon – with Ministers.
- All RAs have been contacted about seed funding.

4.3 BNG Duty

- BNG duty has commenced - the following provisions of the Act came into force on 1st January 2023— (a) section 102 (general duty to conserve and enhance biodiversity); (b) section 103 (biodiversity reports). [The Environment Act 2021 \(Commencement No. 5 and Transitional Provisions\) Regulations 2022 \(legislation.gov.uk\)](#)

- What does biodiversity duty and reporting duty mean for local government and timelines for this? Position presented at last meeting is current position.

Action: Liz to recirculate presentation.

Post meeting update – Paul Simpson from Defra has informed that draft guidance is with ministers and they hope to publish later this month.

5. AOB and items for next meeting

ADEPT work on EU law revocation?

Action: David to follow up and advise

Noted that ADEPT is shaping the forward programme of work – suggestions welcome.

Action: Liz to share Hannah’s request for ideas.

Noted that WCL are presenting on diversity and inclusion in the environment sector at the ADEPT Environment Board meeting on 25th January. There will also be a presentation from the seconded officer from local government into Defra for local delivery of 25 YEP. All welcome to attend.

Allison Jean noted to the group that there is a new publication from the EA (produced with support from Defra and NE) – *Natural Capital Guide for the Development Sector*. It's a short signposting guide for organisations with an interest in natural capital, economic development and growth and prosperity such as local authorities, combined authorities, local enterprise and local nature partnerships, and is designed to complement more comprehensive guides such as ENCA and NE's Nat Cap Evidence Handbook. Guide is hosted on OXCAM's website. A copy of this is circulated with the minutes.

Future agenda items

20th March 2023

- LNRS and BNG focussed agenda given anticipated publication of secondary legislation and guidance.

15th May 2023

- Green finance and funding mechanisms session – with presentation from Defra (Adam Stewart to confirm contact for speaker).
- GI Standards from NE – to then inform where and how we engage within this priority

Onwards

- “Areas of multiple environmental sensitivity” – Adam Lathbury