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## **Biodiversity Sub-Committee**

**Minutes of a Biodiversity Sub-Committee meeting held at 6.00 pm on Wednesday, 13th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### **PRESENT**

Councillor Matt Buckler - In the Chair

Councillors: Martin Burfoot, John Bointon, Stuart Lees, Roger Shelley and Peter Slack

Officers:

Tim Braund (Director of Regulatory Services), Joanna Hill (Climate Change Project Officer), Mike Hase (Policy Manager), Samantha Grisman (Clean & Green Manager) and Angela Gratton (Democratic Services Officer)

Public: 2

### **Note:**

*"Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council's Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document."*

### **APOLOGIES**

Apologies for absence were received from Councillor(s):

### **115/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Peter Slack, Seconded by Councillor Martin Burfoot and

### **RESOLVED**

That the minutes of the meeting of the Biodiversity Sub Committee held on 19 July 2023 be approved as a correct record.

### **Voting**

**05 For**  
**00 Against**  
**01 Abstentions**

The Chair declared the motion **CARRIED**.

## **116/23 - PUBLIC PARTICIPATION**

In accordance with the procedure for public participation Ms Laura Stevens (Matlock Local Resident) gave a statement and asked a question regarding the District Council's use of Glyphosate.

*"Glyphosate as a weed control product is used in small quantities on Derbyshire County Council (DCC) Countryside sites by certificated staff using appropriate PPE.*

*Primarily it is used as an herbicide on INNS (invasive non-native species) on our sites. In practice, this is Giant Hogweed and Japanese knotweed, for which there is little or no alternative treatment. This is generally applied by spray, but we have recently started using an injector to deliver a metered dose into the plant stem as this is a more effective methods of treatment.*

*On 16 March 2023 at a DDDC council meeting, two people asked DDDC about their use of glyphosate. The following answer was given:*

*We appreciate the concerns around the use of glyphosate and we are trying to balance this against this other factor such as, complaints and service requests received and the resources available to provide hand removal. Therefore, we are proposing to reintroduce its use in a significantly reduced and limited manner. The use will solely be considered for closed churchyards and access roads to cemeteries and leisure centres. All other areas will continue to be managed with a weed ripper and hand weeding. This was decided in 2020 following a review of possible alternatives.*

*Please note the point in the report that we will continue to work towards finding a suitable replacement for glyphosate.*

*Sue Bliss took the attached images\* in May and August of this year. Concerned that glyphosate was being used in an area where children play and dogs roam freely, Sue submitted a FOI request to DDDC on the use of glyphosate. The FOI response was as follows:*

*This is a Derbyshire County Council footpath so it is sprayed twice a year with Gallup Biograde 360.*

*The above response has been provided by the Green & Clean Manager.*

*Gallup Biograde 360 is glyphosate and I understand that the Green & Clean manager at DDDC is Samantha Grisman.*

*If the use of glyphosate is confined to non-native invasive species by DCC and closed churchyards etc. by DDDC why is it being used on a footpath which runs through a green area where children play, and dogs are walked?"*

*\*Submitted images available upon request.*

### **RESPONSE:**

Thank you for your question.

At the meeting of Council in July 2023, the decision was made to continue not to use glyphosate on District Council land including closed churchyards, other than for the control of invasive species.

The images shared are of a County Council owned footpath, not District Council owned land. However, both authorities are working together to understand the possibilities of an alternative weed management programme on the highways.

### **STATEMENT and QUESTION from Dr Sheila Evans, Matlock Local Resident**

*"In January, the Biodiversity Sub-Committee council resolved to support the recovery of nature across Derbyshire Dales. The details of the recovery will be outlined in an 'action plan'. As a local resident, and member of Derbyshire Dales Climate HUB, I endorse fully this proposal. There is indeed, a wider mandate for action.*

*The HUB undertook a research-led survey in 2021 of over a thousand local people. It indicated there was a very strong desire (over 95%) to improve local biodiversity. This included the use of nature to prevent flooding and support for local farmers to undertake pro-nature initiatives. Individuals expressed a willingness to take actions, including volunteering to re-wild verges, to enhance woodlands and wetlands. Over 95% who participated wanted the council to take pro-nature actions, including supporting farmers to green-up their land and initiate nature-based solutions to flooding. This provides a clear directive to improve biodiversity both across the estates and within the communities you serve. Since 2021, there is increasing awareness by residents of the biodiversity crisis and the need to take concrete steps to reverse Nature's decline.*

*Britain's road verges, for example, cover an area the size of Dorset and, if managed appropriately, high-maintenance, low-biodiversity verges can be converted into a connected network of wildflower rich grassland. This in turn can provide food for insects and birds. Such verges are vital habitat for Nature as the UK has lost 97% of its' wildflower meadows since the 1930s. As was shown when Rotherham initiated rewilding strategies, this transformation does not need to be costly - it led to savings on mowing costs of £23,000 a year.*

*You may receive emails that refute the survey's results. Residents may complain of areas left uncut looking 'neglected' or 'scruffy', or that visibility is compromised by long grass. There are ways, however, to manage these issues. These are outlined clearly in the excellent website [Plantlife UK](#).*

*To ensure community buy-in, the advice on the website specifies communication and consultation with local people as essential. You can undertake a short survey to canvass public opinion. The HUB could help with this. I'm certain the result, like the 2021 survey, would indicate most people would want a ribbon of wildflowers running alongside roads and on roundabouts; supporting crucial pollinators like bees and butterflies. What's not to like, as it's to everyone's advantage, including future generations. A connected network of such green spaces is one essential part of the district's nature recovery.*

***So my request is, please include in the plan details of how we can create such a connected network of green spaces, and indications as to the rapid pace it is required, that meets the demands of the recognised crisis we are all facing.***

*I have provided one example here, road verges, but there are many other, often interlinked ways to improve the biodiversity across the district as well as address and mitigate the climate emergency: plant to prevent flooding, improve the quality of our rivers etc. I hope these are also detailed in the action plan."*

## RESPONSE:

Derbyshire County Council have been appointed by Government as the responsible authority for the preparation of the Local Nature Recovery Strategy (LNRS) - <https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies>

<https://www.derbyshire.gov.uk/environment/conservation/local-nature-recovery/local-nature-recovery.aspx>

They will need to work with other organisations and partners across the County to agree what should be included in the strategy identifying practical, achievable proposals developed with the input of people who know and understand the area. The strategy will propose where actions could be carried out for best effect and to connect and expand existing areas that are important for nature. They must undertake a public consultation on the strategy before it is published.

The action plan specification agreed by the Sub-Committee on Wednesday 13<sup>th</sup> September included the need for this Council to influence the development of the LRNS, ensuring that the plan complements the emerging strategy however it is not intended to replace or duplicate it. The intent is that the plan, which we hope to bring back before Council in April, is a series of clear and measurable actions that help us meet our Biodiversity Duty under the Environment Act 2021. It will build on some of the existing workstreams, such as the verges project, and identify opportunities for other initiatives which may include those you mention in your email.

## STATEMENT and QUESTION from Ms Sue Bliss, Matlock Local Resident

*“Allowing wildflowers to develop, grow and mature provides vital habitat, nectar, and pollen which sustains insect life. 75% of insects have been lost in the last 50 years. DDDC regularly mows down huge swathes of wildflowers during the growing season. An example of which can be seen in the first image\*. This is unacceptable when it is generally accepted that we need to manage at least 30% of land and sea for nature.*

*People who prefer dead grass to wildflowers need to be educated. Mowing round the edges of wildflower areas (see 2nd attached image\*) with informative and educational signage would, I'm sure satisfy most of those people who like to control nature.*

*Please answer the following question:*

***DDDC could leave wildflowers to thrive and mow round the edges of such areas. Why doesn't this happen?”***

*\*Submitted images available upon request.*

## RESPONSE:

Thank you for your question.

Your recommendation is one idea of many that will need to be explored as part of a wider strategy for the future. Enhancing biodiversity is a clear objective for the District Council.

The Biodiversity Sub-Committee will look to continue the Biodiversity Project under a new Biodiversity Action Plan. Your recommendation will likely be a strategy to consider. However, selecting areas for enhancement and a new management regime needs to be a

done in a structured manner to include highway safety, local users, accessibility and encompass other perspectives.

**STATEMENT and QUESTION from Ms Rachel Murray, Matlock Local Resident**

*“Firstly, may I say that I welcome the formation of the biodiversity sub-committee. My question is in relation to the mowing and hedge cutting regime. I am fully supportive of wildflower verges and areas left uncut by the council. When verges are cut I would like to know if, rather than cutting the entire verge, a border could be cut leaving the wildflowers and grasses untouched in the centre. In regard to hedgerow cutting, can the cutting be carried out in the winter when many valuable plants have died back naturally rather than in the autumn when they are still a valuable source of food and nectar for many species?”*

*Thank you for considering my questions”*

**RESPONSE:**

Thank you for your question

As also covered in the response provided to Ms Bliss’ question above, the practice of mowing a border around verges and leaving the centre uncut is an idea that will need to be explored as part of the wider Biodiversity Strategy moving forwards.

With regards to hedge cutting, this forms part of the Clean and Green winter work programme, however certain hedges in play areas, on car parks or near walking routes are cut for access. Most hedges are cut once a year.

**STATEMENT and QUESTION from Ms Dawn Hind, Local Resident**

*“Could you confirm if there is policy and procedure around how, when and where you mow verges and public areas*

*If so, how will this be incorporated into the Biodiversity Action Plan.”*

**RESPONSE:**

Thank you for your question.

The current frequencies and standards for mowing verges and public areas were approved by Council at the meeting held in July 2023. There are many areas within the Council’s Biodiversity Project that receive an alternative management process which aims to enhance biodiversity.

The newly formed Biodiversity Sub-Committee intends to further this project under the Biodiversity Action Plan, the details of which are yet to be established but will be published in due course.

**STATEMENT and QUESTION from Ms Sue Bliss, Matlock Local Resident**

*“I applied to manage a wildflower verge but was told the neighbours didn’t agree. I know the immediate neighbours adjacent to the designated verge and they were very enthusiastic. So, I’m wondering how far afield it is that neighbours’ agreement is needed. I was also asked to submit a plan of works but know others who were not asked to do this.*

*One person I know was told to reapply later in the year. Another asked specific questions but did not get all the answers, despite an exchange of several emails. Another person was told neighbours have to be consulted but others were not informed of this.*

*There doesn't seem to be a clear application process to adopt a wildflower verge. I and several others have endeavoured to establish the 'process' for wildflower verge adoption, but information is patchy and inconsistent. Some people have already been put off by the inconsistencies.*

*It isn't dissimilar to applying for a job. If you don't have the job description and personal specification, it just isn't possible to submit a coherent and successful application.*

***Please could we have a clear and transparent process on how residents/public apply to manage a wildflower verge?"***

**RESPONSE:**

Thank you for your question.

Thank you for your feedback regarding the process to engage in the Biodiversity Project. This is the first time it been raised with us that the process is unclear.

As part of the Biodiversity Project, residents and Councillors have been invited to recommend areas for an alternative management regime to enhance biodiversity. The areas included verges, parks, public open spaces, roundabouts, ponds etc. The Council received many recommendations, and they were all visited and assessed against a number of different factors, such as visibility and local use. The County Council Highways Department were notified for highway safety and each group seeking to engage in the project was met on site and advised of the necessary activities.

During the summer of 2022, the Council held a meeting between the groups that had engaged with the Biodiversity Project to share knowledge and experiences and the feedback was positive.

The areas put forward by yourself were on a housing estate, so the residents were required to be consulted. The result of the consultation was to avoid the areas recommended and pursue other areas on the estate. Should opinions have changed, the Council would welcome more recommendations to the project.

**STATEMENT and QUESTION from Mr Andy Broadhurst, Derbyshire Swift Conservation**

*"Modern housing is designed to ensure new properties lack any gaps and spaces that can be used as breeding sites by urban bird species.*

*When combined with the on-going loss of potential nest sites on existing buildings caused by refurbishment and repairs, this overall reduction of breeding opportunities has resulted in a long-term decline of urban birds including Swifts, House Sparrows, House Martins and Starlings, all of which now red-listed, indicating species of high conservation concern.*

*Early attempts to provide nest sites for these species involved the installation of nest boxes on the exterior walls of buildings with boxes individually designed for each species. More recently it has been recognised that integrating such nest sites into the structure of the new buildings is a much-preferred solution as they are a permanent feature of the building, require zero maintenance, are aesthetically integrated with the design of the building, are*

*less vulnerable to vandalism and have better thermal regulation with future climate change in mind.*

*Furthermore, analysis of breeding records from new housing estates built with integrated Swift bricks has shown that these spaces are readily used by both Swifts and other urban bird species, so Swift bricks should be considered a “universal” nest brick for small bird species.*

*The UK National House Building Council (NHBC) Foundation report "Biodiversity in new housing developments: creating wildlife-friendly communities" (April 2021) states: “Provision of integral nest sites for swifts is through hollow chambers fitted into the fabric of a building while in construction [i.e. Swift bricks]. Although targeting swifts they will also be used by house sparrows, tits and starlings so are considered a ‘universal brick’” (section 8.1 Nest sites for birds, page 42): <https://www.nhbc.co.uk/foundation/biodiversity-in-new-housing-developments>. This has been documented elsewhere by the Chartered Institute of Ecology and Environmental Management (CIEEM): <https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/>*

*Best-practice guidance has recently been made available with the publication of **British Standard BS 42021:2022 “Integral Nest Boxes – selection & installation for new developments”**:*

*<https://knowledge.bsigroup.com/products/integral-nest-boxes-selection-and-installation-for-new-developments-specification-1/standard>*

*One key element of this guidance is that all integral nest boxes should be Swift bricks, as these can be safely used by all small bird species including Swifts.*

***We request, therefore, that the DDDC Biodiversity Sub-Committee votes to accept that this best practice, in the form of compliance with British Standard 42021:2022, should be adopted into the new Local Plan for Derbyshire Dales.”***

## **RESPONSE:**

Thank you for your detailed statement and request.

In July 2021 the Council adopted a Supplementary Planning Document (SPD) on Climate Change. This SPD which is a material consideration in the determination of planning applications encourages developers to include ‘at least one of the following: bird/bat boxes/swift bricks /amphibian kerbs/hibernacula/hedgehog holes/ hedgehog homes/garden ponds’ in new build residential and non-residential development.

The adopted Derbyshire Dales Local Plan is currently subject to review. Council in January 2022 resolved that PD3 Biodiversity and the Natural Environment was identified as an part of the Local Plan requiring modification to ensure that it achieves best practice in regards to Biodiversity:

<https://democracy.derbyshiredales.gov.uk/Data/Council/20220119/Agenda/01%20-%20Derbyshire%20Dales%20Local%20Plan.pdf>

Through the Local Plan review the Council has acknowledged that there is a need to bring much of the contents of the Climate Change SPD into the main body of the Local Plan so that it is policy rather than guidance.

The Council now has a dedicated Local Plan Sub-Committee. At their most recent meeting on the 3<sup>rd</sup> July 2023 it was agreed that consideration will need to be given about how nature

recovery can be incorporated within the plan seeking guidance from agencies such as the Derbyshire Wildlife Trust.

Whilst the proposal has considerable merit the District Council needs to give full consideration to the options available to it in respect of this issue. Recommended changes to Policy PD3 will be brought to future meetings of the Local Plan Sub Committee, as well Community and Environment Committee and Council.

## **117/23 - INTERESTS**

Item 6 Biodiversity Project

Councillor Matthew Buckler declared a pecuniary interest in Item 6 due to his role with Derbyshire Wildlife Trust.

Councillor Peter Slack declared a non-pecuniary interest in Item 6 due to being a member of Wilder Wirksworth.

Councillor Martin Burfoot declared a non-pecuniary interest in Item 6 due to being a Member of Matlock in Bloom.

Councillor John Bointon declared a pecuniary interest in Item 6 due to having a contract to cut verges and pathways for Doveridge Parish Council

## **118/23 - ACTION PLAN FOR NATURE SPECIFICATION**

The Climate Change Project Officer introduced a report presenting a specialist professional services quotation brief for the approval of Members. The resulting action plan will allow the Council to meet the requirements of the enhanced Biodiversity Duty as set out in the Environment Act 2021.

The plan should consider existing and emerging local strategies but focus on the actions that the Council can take in the short to medium term. It is intended that the plan will build on the workstreams that are currently underway, identifying opportunities to enhance these and seek new opportunities particularly where partnership working is possible. The plan should clearly set out the resource implications of continuing and new workstreams, identifying opportunities for funding. The term of the plan is proposed as 3 years (2024-27) to align with the current Council term.

Members were asked to note the timescale for the work a three-stage process. The expectation is that a draft action plan will be developed from late December 2023 for approval by the Council in Spring 2024.

It was moved by Councillor Martin Burfoot seconded by Councillor Roger Shelley and

### **RESOLVED** (Unanimously)

1. That the specialist professional services quotation brief at Appendix 1 is approved.
2. That the funding mechanism for the plan, as set out in paragraph 7, is approved.
3. That Council, via the Community and Environment Committee, be requested to approve a supplementary revenue budget in 2023/24 to reflect the proposed expenditure of



£58,791 associated with the action plan for nature specification and work to prepare for the delivery of Biodiversity Net Gain (BNG). This would be financed by the transfer of £11,984 from the grants unapplied reserve, £26,807 grant receivable in 2023/24 and £20,000 from the General Reserve

The Chair declared the motion **CARRIED**.

### **119/23 - BIODIVERSITY PROJECT UPDATE**

The Clean and Green Manager gave a presentation updating Members on the current biodiversity pilot projects and discuss with Members the next steps for the proposal to take to the next Community & Environment Committee (C&E) meeting on 26 October 23.

It was moved by Councillor Martin Burfoot, Seconded by Councillor Peter Slack and

**RESOLVED** (Unanimously)

That the Clean and Green Manager should include the following in the report to C&E:

1. Merge the report with the Climate Change Officers report.
2. Pathfinder results to be presented in the report with the option to merge any sites into the Biodiversity Project.
3. The Wider Action Plan to incorporate public feedback, consultation and communication next April.
4. Motion operation for management of grass verges for next year– keeping the wider verges tidy by keeping a band mown at the edge.
5. Management proposal for a local DDDC site
6. Liaise with other Councils to see whether they are using Native or non-native seed mixes.
7. Work in partnership with other organisations – Local Community groups, Schools, Associations such as Derbyshire Beekeepers Association.
8. Produce a 'How to guide at Home' to offer service to the community.
9. Review signage and explore larger options.
10. Investigate the DCC process for selecting changes for the mowing regimes next year on the back of the Pathfinder data.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 7.40 pm**

**Chairman**