

Committee Name and Date of Committee Meeting

Cabinet – 16 September 2024

Report Title

Cabinets Response to the Improving Places Scrutiny Review Recommendations – Nature Recovery

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

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Ward(s) Affected

Borough-Wide

Report Summary

At its meeting of 25 May 2022, the Council resolved to declare a Nature Crisis in Rotherham, noting that almost half of UK wildlife is in long-term decline. This ‘Nature Crisis Motion’ committed the Council to a range of activities, including a review by the Overview and Scrutiny Management Board (OSMB) of opportunities to support nature’s recovery in Rotherham. At its meeting of 14 September 2022, OSMB agreed that the review should be undertaken by the Improving Places Select Commission (IPSC), in its 2023 work programme.

The IPSC review of Nature Recovery in Rotherham began in March 2023, involving Council officers and external stakeholders over several months. A summary of the review’s findings and recommendations was presented to Cabinet, at its meeting of 10 June 2024.

This report sets out the proposed Cabinet response to findings and recommendations from the scrutiny review of Nature Recovery in Rotherham.

Recommendations

1. That the Cabinet response to the Scrutiny Review Recommendations in respect of Nature Recovery, as set out in Appendix 1 of this report, be approved.

List of Appendices Included

Appendix 1 Recommendations Review

Appendix 2 PART A - Initial Equality Screening Assessment

Appendix 3 Carbon Impact Assessment

Background Papers

- Environment Act 2021, c. 30, PART 6, ss. 102 & 103. Available at:
<<https://www.legislation.gov.uk/ukpga/2021/30/section/102>>
- Rotherham Metropolitan Borough Council (2022). *Notice of Motion – Nature Crisis*. Full Council, 25 May 2022. Available at:
<<https://moderngov.rotherham.gov.uk/mgAi.aspx?ID=91028>>
- Rotherham Metropolitan Borough Council (2022). *Work Programme*. Overview and Scrutiny Management Board, 14 September 2022. Available at:
<<https://moderngov.rotherham.gov.uk/documents/s137471/OSMB%20Work%20programme%202022-23%2014%20Sept.pdf>>
- HM Government (2023). *Environmental Improvement Plan 2023*, p46. Available at:
<<https://assets.publishing.service.gov.uk/media/64a6d9c1c531eb000c64ffa/environmental-improvement-plan-2023.pdf>>
- Department for Environment, Food and Rural Affairs (2023). *Delivering 30by30 on Land in England*. Available at:
<https://assets.publishing.service.gov.uk/media/65807a5e23b70a000d234b5d/Delivering_30by30_on_land_in_England.pdf>
- Rotherham Metropolitan Borough Council (2024). *Scrutiny Review Recommendations – Nature Recovery* and appendices. Cabinet, 10 June 2024. Available at:
<<https://moderngov.rotherham.gov.uk/documents/s146810/Report%20-%20Scrutiny%20Review%20Recommendations%20-%20Nature%20Recovery.pdf>>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 13 March 2024

Improving Places Select Commission – 19 March 2024

Council Approval Required

No

Exempt from the Press and Public

No

Cabinets Response to the Improving Places Scrutiny Review Recommendations – Nature Recovery

1. Background

- 1.1 On 25 May 2022, Council resolved to declare a Nature Crisis for Rotherham. It noted that almost half of all UK wildlife is in long-term decline, with 15% of species at risk of extinction. The motion stated that the climate crisis was hastening the destruction of the natural environment, damaging habitats and disrupting ecosystems. The declaration of a Nature Crisis was first taken up by local people and groups: the motion called on the Council to do the same, noting that a thriving natural environment underpinned a healthy, prosperous society.
- 1.2 The resolution committed the Council to a range of activities, including a review of its work to enhance biodiversity. At its meeting of 14 September 2022, the Council's Overview and Scrutiny Management Board allocated this work to the Improving Places Select Commission, in its 2023 work programme.
- 1.3 The review was undertaken by the following Members:
 - Cllr Wyatt (Chair)
 - Cllr Tinsley (Vice Chair)
 - Cllr Havard
 - Cllr Browne
 - Cllr McNeely
 - Cllr Taylor
- 1.4 Evidence was shared and submitted by a variety of experts and operational colleagues from the Council and its partners. Topics such as the state of Rotherham's nature, the impacts of climate change and invasive species, biodiversity net gain planning policy and changes in legislation were discussed. Several site visits were undertaken with the review panel to consolidate key issues.
- 1.5 The resulting recommendations were endorsed by the Overview and Scrutiny Management Board and Improving Place Select Commissions in March 2024. The recommendations were then presented to Cabinet for consideration at its meeting of 10 June 2023.
- 1.6 This report therefore sets out the proposed Cabinet response to the findings and recommendations from the scrutiny review.

2. Key Issues

- 2.1 The UK's nature is under threat. Climate change, pollution and habitat change and degradation have a direct impact on the natural world. Like many other areas in England, Rotherham's protected Local Wildlife Sites are at risk of further damage from inappropriate development, vandalism and insufficient management due to the limitations of existing resources.

- 2.2 The UK Government has committed to halting the long-term decline of species abundance with a target to protect 30% of land and sea by 2030.
- 2.3 The Environment Act 2021 introduced a strengthened biodiversity duty for all public authorities to conserve and enhance biodiversity; and to review their policies, sites, and operations at least every five years. It also introduced new requirements for local planning authorities, with Biodiversity Net Gain plus 10%; and established the requirement for a Local Nature Recovery Strategy (LNRS), for which South Yorkshire Mayoral Combined Authority (SYMCA) is the responsible Authority in South Yorkshire.
- 2.4 Key messages from evidence presented to the review panel include:
- Rotherham has variable levels of wildlife site quality with many habitats in poor condition.
 - Decline in varieties of species of wild birds, insects and rare plants.
 - Impact of rural crime and site security with examples given of the negative impact of off-road vehicles, poaching, vandalism and arson.
 - The impacts of climate change and the state of nature are interlinked.
 - Greater emphasis could be placed on utilising local conservation expertise.
 - There are opportunities for Nature Recovery on land which is not currently under the stewardship of Green Spaces but still within the Council's estate.
 - Action to recover Rotherham's nature and to undertake the enhanced requirements of the Environment Act will require a cross service and cross partner approach.

3. Options considered and recommended proposal

- 3.1 Option 1: that Cabinet approves the proposed responses to the scrutiny review recommendations, as set out in Appendix 1. This is the recommended option.
- 3.2 Option 2: that Cabinet rejects the proposed responses to the scrutiny review recommendations. This is not recommended, since without responding as summarised in Appendix 1, it is not clear how the Council will fulfil its statutory responsibilities under a strengthened biodiversity duty, introduced by the Environment Act 2021. Cabinet must formally respond to the scrutiny review recommendations no later than its meeting of 16 September 2024.

4. Consultation on proposal

- 4.1 Since Cabinet received the scrutiny review recommendations in respect of nature's recovery in Rotherham on 10 June 2024, there has been no further consultation except with Council officers and internal stakeholders, to understand the feasibility of proposed responses.
- 4.2 However, in preparing its recommendations the IPSC panel which reviewed nature's recovery in Rotherham sought and received a wide range of contributions from elected Members, Council officers, subject matter experts

and key local partners. A full list of external contributors can be found at Appendix 2 to the report *Scrutiny Review Recommendations – Nature Recovery*, received by Cabinet on 10 June 2024.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Scrutiny review recommendations in respect of Nature Recovery in Rotherham were considered by OSMB at its meeting of 13 March 2024 and were received by Cabinet at its meeting of 10 June 2024. Under the Council's Overview and Scrutiny Procedure Rules, Cabinet must formally consider its response to the scrutiny review recommendations within two months of receipt.
- 5.2 Proposed responses to each scrutiny review recommendation are detailed in Appendix 1 to this report: each proposed response has an associated timescale for delivery or further consideration, as detailed at Appendix 1. Many of these timescales are determined with reference to the Council's statutory responsibility under S. 103 of the Environment Act 2021, to publish a first Biodiversity Report no later than 12 weeks after 1 January 2026.

6. Financial and Procurement Advice and Implications

- 6.1 There are potential financial implications arising from the implementation of a number of the recommendations contained in Appendix 1. This will only be known once resource requirements have been evaluated. As outlined in the appendix these would then need to be considered as part of the 2025/26 budget setting process.
- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

- 7.1 The report included in Appendix 1 sets out the ways in which the Council should act in order to comply with the duty contained in the Environment Act 2021.
- 7.2 It is suggested that, whilst there may be some latitude in the method of compliance, a set of actions such as those within the Appendix which this report recommends, must be in place in order for the Council to comply with its duties under the Act.

8. Human Resources Advice and Implications

- 8.1 There are no direct HR implications, however, should there be additional resource required to deliver on the recommendations this should be done in line with appropriate HR policy and procedure.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no direct implications for children, young people, or vulnerable adults, though improving nature will have indirect benefits for many.

10. Equalities and Human Rights Advice and Implications

10.1 The improvement of nature and the Borough's green spaces has a benefit for all, especially where new green spaces are created in areas where access to nature is limited. Spending time in nature has many benefits for human wellbeing, including reducing the effects of pollution, improving mental health, providing space for physical activity and social interactions and by reducing the impact of heat waves in built up areas.

10.2 An equalities screening assessment is available at Appendix 2.

11. Implications for CO₂ Emissions and Climate Change

11.1 In its motion of 25 May 2022 declaring a Nature Crisis in Rotherham, Council recognised that nature and climate crises were intrinsically linked, so that restoring nature could help to address climate change.

11.2 A carbon impact assessment (**Appendix 3**) identifies four potential carbon impacts, arising from the scrutiny review recommendations:

- Changes in fuel use, from recommended changes in grounds and streets maintenance.
- Emissions from waste, from take up of household composting.
- Emissions from development partly offset by Biodiversity Net Gain, as supported by the scrutiny review recommendations.
- Increased carbon sequestration, which could be promoted by bringing the Council's woodlands into positive management.

11.3 Outturn emissions impacts will depend on objectives, policies and plans to be agreed by the Council, as it considers what actions it should properly take to conserve and enhance biodiversity in the Borough of Rotherham.

12. Implications for Partners

12.1. This report and the recommendations of the review have been developed via the contributions of a number of partner organisations.

Including the following:

- BDR Waste Partnership
- Don Catchment Rivers Trust
- Environment Agency
- Severn Trent Water
- Sheffield and Rotherham Wildlife Trust

- Sheffield Area Geology Trust
- South Yorkshire Mayoral Combined Authority
- South Yorkshire Police Rural Crime Unit
- Yorkshire Water

12.2 A partnership approach to the South Yorkshire Nature Recovery Strategy is being led by the South Yorkshire Mayoral Combined Authority.

13. Risks and Mitigation

13.1 There are reputational and other risks to the Council, if it cannot fulfil its statutory responsibility to conserve and enhance biodiversity, as introduced by the Environment Act 2021.

13.2 These risks may be mitigated if Cabinet responds to the scrutiny review recommendations on nature's recovery in Rotherham, as summarised at Appendix 1. By setting objectives, policies and plans; by resourcing these appropriately; and by reporting its activity and progress in a first 'biodiversity report' no later than 26 March 2026, the Council can discharge its immediate responsibilities under sections 102 & 103 of the Environment Act 2021.

14. Accountable Officers

Andrew Bramidge, Interim Strategic Director – Regeneration and Environment

Jo Brown, Assistant Chief Executive

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	02/09/24
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	05/08/24
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	09/08/24

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