

## ENVIRONMENT CAPITAL SCRUTINY COMMITTEE

**THURSDAY 15 JULY 2010**  
**7.00 PM**

**Bourges/Viersen Room - Town Hall**

### AGENDA

Page No

**1. Apologies for Absence**

**2. Declarations of Interest and Whipping Declarations**

Members must declare whether they have an interest, whether personal or prejudicial, in any of the items on the agenda. Members must also declare if they are subject to their party group whip in relation to any items under consideration.

**3. Minutes**

3.1 **11 March 2010**

**1 - 6**

3.2 **10 June 2010**

**7 - 10**

**4. Call In of any Cabinet, Cabinet Member or Key Officer Decisions**

The decision notice for each decision will bear the date on which it is published and will specify that the decision may then be implemented on the expiry of 3 working days after the publication of the decision (not including the date of publication), unless a request for call-in of the decision is received from any two Members of a Scrutiny Committee or Scrutiny Commission. If a request for call-in of a decision is received, implementation of the decision remains suspended for consideration by the relevant Scrutiny Committee or Commission.

**5. Environment Capital - The Next Steps**

**11 - 14**

First consultation on the development of the Environment Capital Policy.

**6. Peterborough's Christmas Park and Ride Service 2010**

**15 - 18**

To consider the proposals for the Christmas Park and Ride Service 2010.

**7. Carbon Reduction Commitment Energy Efficiency Scheme**

**19 - 30**

To consider the Council's responsibilities under the Carbon Reduction Commitment Energy Efficiency Scheme.

- 8. Revised Biodiversity Strategy** **31 - 100**  
To consider the revised Biodiversity Strategy.
- 9. Scrutiny Big Debate - Issues Paper** **101 - 106**  
To consider the issues which were identified at the Big Debate meeting held in February 2010.
- 10. Forward Plan of Key Decisions** **107 - 120**  
To consider to the Forward Plan for July to October 2010.
- 11. Work Programme** **121 - 124**  
To consider the Committee's work programme for 2010/11.
- 12. Date of Next Meeting**  
Thursday 9 September 2010 at 7pm.



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Louise Tyers on 01733 452284 as soon as possible.

#### **Emergency Evacuation Procedure – Outside Normal Office Hours**

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.*

#### **Committee Members:**

**Councillors: D Day (Chairman), Arculus (Vice-Chairman), N North, B Rush, D Morley, J A Fox and N Sandford**

**Substitutes: Councillors: J Goodwin, C Ash and D Fower**

Further information about this meeting can be obtained from Louise Tyers on telephone 01733 452284 or by email – [louise.tyers@peterborough.gov.uk](mailto:louise.tyers@peterborough.gov.uk)

**MINUTES OF A MEETING OF THE ENVIRONMENT CAPITAL SCRUTINY COMMITTEE  
HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL ON 11 MARCH 2010**

**Present:** Councillors D Day (Vice-Chairman), J A Fox, J Peach and  
N Sandford

**Officers Present:** Trevor Gibson, Director of Environment Capital  
Kim Sawyer, Head of Legal  
Louise Tyers, Scrutiny Manager

**1. Apologies for Absence**

Apologies for absence were received from Councillors Arculus, Burton, North and Wilkinson. Councillor Peach was in attendance as substitute for Councillor Burton.

Apologies were also received from Councillor Lee, Deputy Leader and Cabinet Member for Environment Capital & Culture and Councillor S Dalton, Cabinet Advisor for Environment Capital & Culture.

**2. Declarations of Interest and Whipping Declarations**

There were no declarations of interest.

**3. Minutes**

**3.1 15 February 2010**

The minutes of the meeting held on 15 February 2010 were approved as an accurate record, subject to:

**Item 7 – Carbon Management Action Plan**

Amended bullet point 9 to read “The policy of City Services is rather than prune bushes is to remove them completely. This has an impact in carbon terms as it takes away the capacity of plants to sequester carbon. *The draft Plan had been submitted to the Carbon Trust before the budget meetings had started and before the decision had been made to swap to grass. City Services had advised that replacing shrubs with grass would be a like for like change in relation to carbon.*”

**3.2 23 February 2010**

The minutes of the meeting held on 23 February 2010 were approved as an accurate record.

**4. Call In of any Cabinet, Cabinet Member or Key Officer Decisions**

There were no requests for call-in to consider.

## 5. Response to Recommendations

The Committee considered the responses made by the Executive to recommendations made at previous meetings.

The recommendations related to:

- Medium Term Financial Strategy to 2014
- Bus Service Review

Observations and questions were raised around the following areas:

- The issue of street lighting at Gresley Way had been raised at the meeting on 14 January and Councillor Sandford had raised the issue directly with the Executive Director of Operations who advised that the lights would be repaired in a couple of weeks, however they are still not working which is unacceptable.
- A number of recommendations were made at the last meeting about the Christmas Park and Ride service, had these been put forward? *The recommendations had been put forward but a response had not yet been received.*
- The Committee were advised at one of the budget meetings that the impact of the budget proposals on the staffing structure were still to be worked on, what stage was the work at?

### **ACTION AGREED**

The Scrutiny Manager to clarify the position with the Gresley Way street lighting and the impact on the staffing structure of the budget.

## 6. Progress on the Environment Capital Portfolio

Councillor Sandford asked for it to be minuted that he was disappointed that the Cabinet Member for Environment Capital was not in attendance and had chosen to attend another meeting.

The Director of Environment Capital presented the progress on the delivery of the Environment Capital portfolio.

Strong progress continued to be made in relation to the Environment Capital priority despite declining performance against the LAA targets. A number of highlights were:

### **City Visualisation Project**

The City Council, Opportunity Peterborough, IBM, Royal Haskoning and Green Ventures were engaged in a new collaboration to support Peterborough's ambition of being one of the leading sustainable cities in the UK. The companies were working on an exciting City Visualisation project which would display Peterborough's environmental performance in real-time and be a key tool in helping the city's systems to become smarter and more efficient. These changes aimed to cement Peterborough's place as Environment Capital and directly impacted the quality of life for people living and working in Peterborough for future generations.

The first phase of the project was to use the latest technologies to build a new online platform which could visualise on a city scale an integrated view of the energy, water, transport and waste systems. Gathering and displaying this key data in an understandable form would enable the city to understand both its current environmental performance and enable it to make informed decisions and strategies to maximise sustainability. The aim was

to accelerate the pace of change by engaging the public and professionals in understanding the whole city system. The Peterborough Model platform would allow people living in Peterborough to view the overall performance of the city and provide feedback on areas to improve. Utilities, government agencies and businesses in the local area would have a visual platform that would help them to co-ordinate their plans to make Peterborough more sustainable. The Peterborough Model would enable partners to identify the areas where improvement could be made and where collaboration could achieve sustainability targets while saving money.

### **Carbon Reduction Strategy**

The City Council had now adopted its Carbon Reduction Strategy which set out how it intended to reduce its carbon footprint through a range of costed, practical measures within its property portfolio and vehicle fleet.

### **The Core Strategy**

The draft Core Strategy had been adopted by Council and contained a unique policy which would require all new developments in the city to contribute positively to Environment Capital. The Strategy would now go through its final consultation and examination in public prior to adoption in late 2010. Work had commenced on the Special Planning Document which would translate the overarching policy into practical measures to improve the sustainability of buildings as the city grows.

### **Future Jobs Fund**

There had been a successful bid to the Future Jobs Fund which would shortly see a group of trained advisors working with households across the city to support changes in behaviour in areas such as travel and energy and water use.

### **Environment Capital Steering Group**

The Cabinet Member for Environment Capital had established a new Environment Capital Steering Group to drive forward the Environment Capital agenda across the Council and partnership.

Observations and questions were raised around the following areas:

- In the City Visualisation Project, what was meant by 'real-time'? *The first stage would be energy and water and it would be able to show the energy usage during the last month and also future usage. It would also be able to show the energy usage in different wards. There would be an ability to plug in to it real time information, for example, how much energy was coming into the city at any given time. It would also look at how many transport journeys were happening in and out of the city.*
- How could Anglian Water break down their usage to a ward level? *It was possible and some energy was easier to break down to a ward level. The best data available was around Glinton as the village had undergone a number of thorough surveys and could be used as a good example. Individual households would be able to look at their impact on climate change. This would be a unique project globally.*
- Who were the members of the Environment Capital Steering Group and how were they chosen? *The membership was Councillors Lee, S Dalton, Trevor Gibson, Paul Phillipson, Hugh Cripps, Ken Mackay, Richard Pearn and Richard Astle. The group linked into the Environment Capital Partnership and they were chosen to represent a wide cross section of partners.*
- At the Environment Masterclass, Jonathan Porritt said that if Peterborough was genuine in its attempts to become the Environment Capital then it should not only be used as a PR exercise. Were plans being developed to ensure there was an

objective assessment of our claim to be the Environment Capital? *We were working around a shared vision of the Sustainable Community Strategy and had developed a draft set of values that would have to be achieved, for example, that all decisions could demonstrate how they impacted on the environment. A basket of measures was being developed, based on those used by the Forum for the Future, and a number of those would have to be green with no red. It would need external verification but at the moment there were no criteria for cities of our size.*

- A robust policy framework was needed to support the Environment Capital. At a recent Neighbourhood Council meeting a member of the public had raised an issue around open space and asked whether the Council had a policy on it. Also, the Trees and Woodlands Policy was seen in draft a couple of years ago but had not yet come back to be considered. *The Director of Environment Capital would get a progress report on both strategies.*
- What was the Covenant of Mayors and how would it benefit Peterborough? *It was a commitment that the City Council had given to tackle climate change alongside approximately 1300 cities across Europe. It would be an opportunity to learn from others and we may be able to access funding. Putting our name forward showed a commitment to climate change and we were the only city in the East of England to do so.*
- In Greater Manchester, they had established the Red Rose Community Forest which was a Green Streets Initiative supported by the Forestry Commission. This initiative put alternative shrubs in place and encouraged tree and flower planting. This was an excellent example of how the Council should be working with communities.

## **ACTION AGREED**

To note the progress made on the delivery of the Environment Capital portfolio.

### **7. Progress on the Delivery of the Local Area Agreement Priority**

The Committee received an update on the performance as at December 2009 of the Environment Capital outcomes contained within the Local Area Agreement (LAA).

Peterborough's LAA contained four priorities: Creating Strong and Supportive Communities; Creating the UK's Environment Capital; Creating Opportunities, Tackling Inequalities; Substantial and Truly Sustainable Growth. Each of those priorities had four specific outcomes, beneath which sat a diverse range of actions and interventions to deliver lasting positive change for Peterborough.

The Environment Capital priority was measured by four specific outcomes: Overall Consumption of Natural Resources, Increasing the Use of Sustainable Transport, Growing our Environment Business Sector and Making Peterborough Cleaner and Greener. A Red/Amber/Green flagging system was used to indicate overall performance against each of the outcomes – red indicated that the outcome was significantly behind target, amber indicated that the outcome was experiencing difficulties, and green indicated that the outcome was on target or had achieved its objectives.

Overall, 7 of the priority's 13 indicators were currently on track against their targets, with 4 off track. This was an improvement from the previous quarter where only 4 of the indicators were on track.

Amongst the positive aspects, street inspections had shown that Peterborough's streets were clean, with low levels of litter, detritus and graffiti, the city's environmental goods and services sector continued to grow and the environmental awareness of Peterborough's citizens was high thanks to effective education and promotion of the sustainability agenda.

A number of areas were in need of improvement. The number of people using the city's buses had reduced over the first half of 2009/10 and reports of fly tipping had increased compared to last year. Peterborough was currently missing its CO<sub>2</sub> emissions reduction targets and levels of recycling and waste were below their quarterly targets.

Observations and questions were raised around the following areas:

- There was concern that there was a downward decline in performance, were officers aware of what that decline was down to? *We did not know the full cause of the drop. The natural resources outcome showing red was primarily due to the city's carbon footprint and because DEFRA had refined the baseline figure. The baseline had been reduced so there was now a bigger gap against our targets which could not be altered as we had no control over the calculation.*
- The issues around waste recycling were not unique to Peterborough. Companies were starting to package goods differently and people were purchasing less so the rate was falling back. However compared to the rest of Cambridgeshire we were considerably better.
- The issues around the fall in the number of bus journeys needed further investigation as to why it was dropping, up until that point we had had one of the largest increases in patronage. It could be down to a number of reasons including less employment and there being less money available.
- Who were the members of the working group which was reviewing the service around enforcement of flytipping? *Officers would find out the membership and let the Committee know.*
- The Council had made a lot of investments over the years, including Sustainable Travel Town and widening the type of recyclables accepted, what could or should we be doing to improve the performance return on our investment? *With recycling there was a huge amount of education work going on. There was a trial of taking contaminated waste to another facility to produce fuel derived from waste and we were also looking at other schemes. With bus services, we were looking at introducing flexible ways of ticketing and travelling.*
- There was currently an issue with the logistics of the bus service in Peterborough as often buses got caught up in traffic and then were delayed, meaning sometimes three buses turned up at the same time. The Local Transport Plan (LTP) stated that traffic signal priority would be to buses and often illegally parked cars also got in the way. The Council should support bus operators by dealing with the congestion and traffic signals etc as there could be a danger that Stagecoach could withdraw services. *The next LTP and Longer Term Transport Strategy were being development and the Committee may want to review them and challenge what was being proposed.*
- The Waste Recycling Action Programme guidance says that authorities should have a series of small containers for recycling so it could be sorted at source. Some funding should be given to initiatives such as recycling textiles and plastics to encourage recycling rates.
- The new charges for the bulky waste collection service could lead to more incidents of flytipping. *There was no evidence to say that the changes may increase the incidents of flytipping but this would need to be monitored.*

## **ACTION AGREED**

To write to the Deputy Leader and Cabinet Member for Environment Capital advising of our concerns at the changes to the bulky waste collection service and request that a report is brought back to the Committee in November 2010 on the impact of the changes.

**8. Forward Plan of Key Decisions**

The latest version of the Forward Plan, showing details of the key decisions that the Leader of the Council believed the Cabinet or individual Cabinet Members would be making over the next four months, was received.

**ACTION AGREED**

To note the latest version of the Forward Plan.

CHAIRMAN  
7.00 - 8.00 pm



**MINUTES OF A MEETING OF THE ENVIRONMENT CAPITAL SCRUTINY COMMITTEE  
HELD IN THE BOURGES/VIERSEN ROOM - TOWN HALL ON 10 JUNE 2010**

**Present:** Councillors D Day (Chairman), N Arculus (Vice-Chairman), N North,  
B Rush, D Morley and N Sandford

**Officers Present:** Paul Phillipson, Executive Director of Operations  
Mike Heath, Commercial Services Director  
Claire Boyd, Senior Lawyer - Contracts and Procurement  
Louise Tyers, Scrutiny Manager

**1. Apologies for Absence**

An apology for absence was received from Councillor Judy Fox and Councillor Ash was acting as substitute.

**2. Declarations of Interest and Whipping Declarations**

There were no declarations of interest.

**3. Minutes of the Meeting held on 11 March 2010**

As only one Member who was present at the last meeting was at this meeting for this item, approval of the minutes was deferred until the next meeting.

**4. Call In of any Cabinet, Cabinet Member or Key Officer Decisions**

There were no requests for call-in to consider.

**5. Response to Recommendations Made by the Committee**

The Committee considered the responses made by the Executive to recommendations made in relation to the Christmas Park and Ride Service.

**ACTION AGREED**

To note the responses to the recommendations made.

**6. Tree Pollarding**

In accordance with the Council's Constitution, Councillor Sandford had requested that this item was placed on the agenda for this meeting. Councillor Sandford advised that following discussions by the then Environment Select Panel and Cabinet a decision had been made a number of years ago to introduce a biennial pollarding programme which would be completed by late February each year so to avoid the bird nesting season.

Councillor Sandford made the following points:

- Pollarding had been undertaken during the spring this year and this was against the Council's policy.
- A limited amount of pollarding had been carried out in his ward without the Ward Councillors being consulted.

- It was accepted woodland management practice that trees could be pollarded once every 10 years.
- Once trees were pollarded they had to be continued.
- Trees would not become unsafe if pollarding was not done every two years.
- Was it economically sensible to undertake pollarding every two years and should funding be invested more in the maintenance of all trees?
- If work could not be completed by mid-March then it should be discontinued and resumed in the autumn.

In response the Commercial Services Director, made the following points:

- There were 503 trees which were pollarded in the City and with a small number of exceptions these were all lime trees.
- The trees were dealt with on a biannual basis in accordance with the previous decision.
- Pollarding ensured that the structure of the tree at the crown maintained its strength and integrity during high winds and did not shed young branches and secondary growth.
- Officers had planned to complete the pollarding programme by mid-March, however this year there had been considerable snowfall along with a sustained period of low temperatures between January and March. This had meant that the tree work could not be undertaken without risking damage to the individual pollards.
- Working in those weather conditions would also have been extremely hazardous for the employees undertaking the work. For this reason the pollarding could not be started in time and was later than normal.
- Prior to working on the trees all were inspected for signs of active/nesting birds. During the work six trees had been identified as having active nests in them and these were left until the young pigeons which were nesting had fledged.
- The current balance of work was that two thirds of trees were dealt with in one year and one third in the second. Action was now being taken to resolve this and to ensure that a more balanced programme was introduced which would give the contractor undertaking the work a more realistic opportunity to complete the work during weather which was suitable.
- With regards to consultation, the Trees and Woodlands Strategy stated that consultation would only be undertaken on major tree work. As pollarding was a regular programmed element of work it did not meet the criteria for consultation.
- The Director could not dispute that pollarding had taken place out of season but to have undertaken the work would have put the trees and operatives at risk.
- The City had around 14,000 street trees which were regularly inspected by a full time and a part time officer.

Observations and questions were raised around the following areas:

- What was the frequency of the tree inspections? *There was no set frequency for inspections but risk assessments were undertaken on the trees. Officers looked to inspect a minimum of every four years but some trees may be inspected more frequently. Due to limited resources the priority was to those trees where there was likely to be damage.*
- Tree maintenance in urban areas was a big issue and it was vital to get it right. Could officers let ward councillors know of the streets where trees were maintained regularly?
- Do trees have to be pollarded every two years? *Pollarding could be undertaken in longer periods but there would be more insurance risks especially during high winds.*
- What evidence was there to show that there would be significant insurance risks with a longer regime? *There was more chance of branches being pulled out. We had a*

*duty of responsibility and would have to show that we had taken reasonable steps to maintain the trees if there were any claims.*

- How much difference would there be in the growth of a tree if it was left for between two and three years? Could we leave a sample of trees for 3-4 years to look at what happened to the growth of the trees and to see if a longer regime was reasonable?

## **RECOMMENDATIONS**

That it is recommended to the relevant Cabinet Member that pollarded trees in one or two streets should be left for 3-4 years to see if a longer maintenance regime was reasonable compared to the current two years programme.

### **7. Review of 2009/10 and Work Programme 2010/11**

The report provided the Committee with a review of the work undertaken during 2009/10 and the draft work programme for 2010/11. The Committee were asked to consider their work from last year and to decide on any items they wished to continue to monitor this year. The Committee were also asked to develop their work programme for the coming year.

#### Review of the Last Year

During the last year, the Committee considered the following issues:

- Bus Service Review
- Christmas Park and Ride
- Draft Local Transport Plan Capital Programme
- Environmental Enforcement and Education
- Floods and Water Management Bill
- Progress on the Delivery of the LAA Priority
- Progress on the Environment Capital Portfolio
- Refresh of the Local Area Agreement
- Response to Adverse Weather Conditions
- Review of the Biodiversity Strategy
- Scrutiny of the Budget and Medium Term Financial Plan

The Committee asked to receive an update on the development of the proposals for this year's Christmas Park and Ride service.

Councillor Sandford advised that he had previously raised an issue around adverse weather conditions with Legal Services in relation to individuals clearing paths around their properties and the risk of being sued by anyone who injured themselves by slipping. Was the risk of being sued hypothetical or based on actual legislation?

The Legal Officer agreed to take the question back to colleagues to get a response for Councillor Sandford.

#### Work Programme for 2010/11

The Committee asked for a report on the implications for environment and transport services of the Lot 3 procurement for City Services.

Councillor Sandford advised that the Trees and Woodlands Strategy had not been brought back to the Committee following its consideration by a working group a number of years ago. The issue had been raised at a meeting of Full Council in October 2009 but it still had not been brought back. The Open Spaces Strategy was also in the same position.

The Commercial Services Director advised that three policies – Trees and Woodland Strategy, Open Spaces Strategy and the Playing Fields Strategy were currently being developed and would go out for consultation together. He hoped to bring the draft Strategies to this meeting in September prior to them going out for public consultation. There was a need to ensure that the policies did not conflict with each other.

#### **ACTIONS AGREED**

- (i) Officers to provide a response to Councillor Sandford on the legal position around the public clearing the footpaths around their properties during adverse weather.
- (ii) The following items to be added to the work programme:
  - Christmas Park and Ride Service 2010
  - Implications for environment and transport on the Lot 3 procurement
  - Consultation on the Trees and Woodland Strategy, Open Spaces Strategy and Playing Fields Strategy.

#### **8. Forward Plan of Key Decisions**

The latest version of the Forward Plan, showing details of the key decisions that the Leader of the Council believed the Cabinet or individual Cabinet Members would be making over the next four months, was received.

#### **ACTION AGREED**

To note the latest version of the Forward Plan.

#### **9. Date of Next Meeting**

Thursday 15 July 2010 at 7pm.

CHAIRMAN  
7.00 - 7.52 pm

<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 5</b>
<b>15 JULY 2010</b>	<b>Public Report</b>

## **Report of the Director of Environment Capital**

**Report Author – Trevor Gibson, Director of Environment Capital**

**Contact Details – (01733) 317401 or email [trevor.gibson@peterborough.gov.uk](mailto:trevor.gibson@peterborough.gov.uk)**

### **ENVIRONMENT CAPITAL – THE NEXT STEPS**

#### **1. PURPOSE**

- 1.1 This report is presented to the Environment Capital Scrutiny Committee to update Members on Environment Capital progress to date and the next stages in developing and launching the approach.

#### **2. RECOMMENDATIONS**

- 2.1 Members are asked to comment upon progress to date together with the proposed process for launching Environment Capital later in 2010.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 3.1 Creating the UK's Environment Capital is a one of the four priorities contained within the Sustainable Communities Strategy.

#### **4. BACKGROUND**

- 4.1 Peterborough's Sustainable Communities Strategy contains four priorities: Creating Strong and Supportive Communities; Creating the UK's Environment Capital; Creating Opportunities, Tackling Inequalities; and Substantial and Truly Sustainable Growth. Each of these priorities has four specific outcomes, beneath which sit a diverse range of actions and interventions to deliver lasting positive change for Peterborough.

- 4.2 By adopting the Sustainable Communities Strategy, the Council has committed itself to becoming the UK's Environment Capital, building on the longstanding experience as one of four Environment Cities in the UK. The "journey" from Environment City to Environment Capital is considered appropriate given the shift towards global environmental challenges such as climate change as well as the city's ambition to grow substantially and sustainably.

- 4.3 Environment Capital now has widespread support as a key focus and unique selling point for Peterborough which has been achieved through clear political direction and the efforts of a committed, cross-sector Environment Capital Partnership.

- 4.4 Significant building blocks are already in place including the Sustainable Communities Strategy, Local Area Agreement, the creation of an Environment Capital Cabinet portfolio and the Environment Capital Scrutiny Committee itself. The approach also has the support of Opportunity Peterborough as a key tool in driving economic development and of the wider business community as represented by the Economic Development Partnership.

- 4.5 The city is currently leading on some areas of work and is receiving global recognition for its unique "Peterborough Model". This project is being delivered through collaboration with IBM, Royal Haskoning and Green Ventures to create an accessible on-line tool for visualising the city's environmental performance. As a result of this and other initiatives, the city is gaining a significant reputation for its environmental experience and credentials.

## 5. THE NEXT STEPS

- 5.1 There are significant advantages in maintaining the momentum in driving forward the Environment Capital Agenda. It can, and does, play a key role in driving the city's economic development, supporting sustainable growth and providing a focus for building strong and supportive communities.
- 5.2 The next stages in the process must continue to position Peterborough as an environmental leader and enhance its reputation as a result. It must also continue to build the Environment Capital culture within the Council and throughout a wider family of city stakeholders.
- 5.3 The next stages must also include a range of projects and activities aimed at supporting the Environment Capital agenda. The Committee has previously seen early drafts of the city wide Development Plan which will be updated and improved as part of this work. The Council and other partners must be mindful of the impact of their activities and decisions on the environmental and wider sustainability agendas.
- 5.4 The Leader and Deputy Leader of the Council together with the Cabinet Member for Environment Capital are committed to launching the Environment Capital approach in the autumn of this year. To this end, three work streams have now been established:-

**Stakeholder Engagement:** The Director of Environment Capital with support from GPP colleagues is working with partners to galvanise support for and input to the Environment Capital approach to build and maintain a common approach and culture. This will involve a clear definition, an outward facing prospectus and a briefing document aimed at all city ambassadors. In addition, if it is to succeed, Environment Capital must deliver improved outcomes for local residents and communities.

**Policy Development:** This will include the replacement of the Council's Environment Policy (2000) with a newly developed Environment Capital Policy which will form part of the Council's Major Policy Framework. A draft of this policy will be brought to the September meeting of this Committee for comment before its consideration by Council. The policy will seek to ensure that Environment Capital principles are a consideration in all services, strategies and policies. The sustainable growth of the city will be supported by an Environment Capital Supplementary Planning Document (SPD) which will drive sustainable developments across the city building on the Environment Capital Core Strategy policy.

**Marketing:** A newly formed team comprising marketing expertise from a wide range of partners including, PCC, OP, PECT, GPP and UKCEED is leading the development of a marketing strategy to ensure that the new approach enhances the city's regional, national and international profile. This profile will, in turn, support inward investment and economic development. It should be noted that if Environmental Capital is marketed without delivering the substance described above, it will not be successful.

## 6. IMPLICATIONS

- 6.1 The launch of the Environment Capital initiative will ensure that sustainability is embedded throughout Council services and across a range of key stakeholders.

## 7. CONSULTATION

- 7.1 Key city stakeholders will be consulted on the approach. The Scrutiny Committee will be asked to comment on the detailed policy later in the year prior to its consideration by Council.

## 8. EXPECTED OUTCOMES

- 8.1 The launch of Environment Capital, backed by a major policy, a range of high profile projects, a SPD and bespoke marketing campaign will maintain Peterborough's position as a leading city from the environmental perspective with positive benefits for the city's future development and all of its communities.

**9. NEXT STEPS**

- 9.1 Following comments and suggestions made by this Committee, the policy, development plan and marketing strategy will be prepared for consideration at the Committee's September 2010 meeting. The Major Policy will be considered by Council in October 2010.

**10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

None.

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<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 6</b>
<b>15 JULY 2010</b>	<b>Public Report</b>

## **Report of the Executive Director of Operations**

**Contact Officer – Teresa Wood, Group Manager Transport and Sustainable Environment**  
**Contact Details - Tel: 01733 317451 or email [teresa.wood@peterborough.gov.uk](mailto:teresa.wood@peterborough.gov.uk)**

### **PETERBOROUGH'S CHRISTMAS PARK AND RIDE SERVICE 2010**

#### **1. PURPOSE**

- 1.1 This report is being presented at the request of the Environment Capital Scrutiny Committee following recommendations at its meeting of 15 February:
- (i) to increase public confidence in the park and ride service it needs to run for a longer period up to Christmas; and
  - (ii) a small charge is imposed on the park and ride service so funds can be used to increase the period the service runs for.

#### **2. RECOMMENDATIONS**

- 2.1 The committee are asked to scrutinise the information provided for the Christmas 2010 park and ride service and make any appropriate recommendations to the Cabinet Member for Housing, Neighbourhoods and Planning.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 3.1 This area of work relates directly to the Sustainable Communities Strategy, specifically the priority to create the country's environment capital and deliver substantial and truly sustainable growth. A Christmas park and ride service helps to achieve the following national indicators:

NI175 Access to services by public transport, walking and cycling  
NI177 Local bus passenger journeys  
NI185 CO2 reduction from local authority operations  
NI186 Per capita CO2 emissions

#### **4. BACKGROUND**

- 4.1 At its meeting of 15 February 2010, the Environment Capital Scrutiny Committee recommended the following to the then Cabinet Member for Neighbourhoods, Housing and Community Development (now Housing, Neighbourhoods and Planning):
- (iii) to increase public confidence in the park and ride service it needs to run for a longer period up to Christmas; and
  - (iv) a small charge is imposed on the park and ride service so funds can be used to increase the period the service runs for.

The Christmas 2009 park and ride service operated both Saturdays and Sundays for six weekends from 14/15 November to 19/20 December. The service operated free of charge and over the 12 days a total of 3,361 cars and 6,914 passengers were recorded as using the service. The park and ride service has operated free of charge since 2004; a free service was original offered to minimise the impact on easy access to the city centre when the Town Bridge

repair works were being undertaken.

A budget of £29,000 has been allocated to the Christmas 2010 park and ride service.

#### Operating period

Over recent years the Christmas park and ride service has operated for varying numbers of days:

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Saturdays</b>	9	10	10	9	10	14	14	9	6
<b>Sundays</b>	0	0	0	0	8	5	5	4	6
<b>Bank holidays</b>	0	0	0	0	2	0	0	0	0
<b>Operating days</b>	9	10	10	9	20	19	19	13	12

Passenger numbers on Saturdays are higher than on Sundays and, in addition, usage is usually low at the beginning of the service and increases steadily before dropping off towards the end of the service.

Based on 2009 costs, the proposal for the Christmas 2010 park and ride service is to operate nine Saturdays and six Sundays; therefore operating from Saturday 23 October to Saturday 18 December and Sunday 14 November to Sunday 19 December. The bus operating costs and other associated costs are detailed below:

Description	Cost
9 x Saturdays	£14,400
6 x Sundays	£9,390
Publicity	£300
Security	£4,298
Signage	£1,040
Total estimated costs	£29,428

Therefore, the total estimated cost of providing the Christmas 2010 park and ride service is £29,428 plus any additional inflation costs.

#### Charging

The aim of a park and ride service is to attract car users away from the city centre. In recent years the council has been criticised for not allowing walking passengers to use the park and ride service. It is the view of officers that walking passengers detract from commercially operated services and, whilst the park and ride service operated free of charge, any such impact should be minimised. The table below gives a sample of park and ride charges for other city centre locations in the area:-

	Per car	Per passenger
<b>Bedford</b>	£3 – up to 7 people	
<b>Cambridge</b>	Adult return £2.20	£2.30 pay machine £2.60 on bus
<b>Chelmsford</b>		£2.20
<b>Ipswich</b>	£3 – up to 5 people	
<b>Leicester</b>	£3.50 after 9 am Mon to Fri for up to 5 people	£3
<b>Norwich</b>	£3.50 Mon to Fri £3.30 Sat, Sun & BH - up to 5 people	

It is therefore reasonable to propose a fare of £1 per adult passenger. The table below provides the passenger numbers for the past three years:

	2007			2008			2009		
	Pass	Days	Average	Pass	Days	Average	Pass	Days	Average
<b>Sat</b>	14188	14	1013	6038	9	671	4693	6	782
<b>Sun</b>	3133	5	627	1111	4	278	2221	6	370

Average number of passengers on Saturdays = 822 x 9 days = 822 @ £1 fare = £7,398  
Average number of passengers on Sundays = 425 x 6 days = 425 @ £1 fare = £2,550

The total estimated income is therefore £9,948. However, erring on the side of caution an income of £7,500 should be achievable.

This additional income will be used to supplement the £29,000 budget to enhance the Christmas 2010 park and ride service on three additional Saturdays at a cost of approximately £4,800, cover any contract inflation increases and also to promote the service. Due to budgetary constraints, the service has not been well publicised in previous years; this income will provide an opportunity to enhance the promotion of the service, particularly given that there is a significant change to the service by way of introducing a charge.

## **5. KEY ISSUES**

- 5.1 It has not been possible in the past to deliver a Christmas park and ride service through sponsorship, therefore a charge of £1 is proposed to supplement the allocated budget of £29,000. A £1 charge will allow those wishing to walk or cycle to use the park and ride service. This has not been permissible whilst the Christmas park and ride service has operated free of charge as this would detract from commercially operated bus services in the vicinity of the park and ride sites.

The operation of a Christmas park and ride service is at the goodwill of Diligenta and Perkins who provide their car parks at Lynch Wood and Eastern Industry free of charge. Discussions are currently being held with Diligenta and Perkins to secure the sites for 2010.

## **6. IMPLICATIONS**

- 6.1 Should a Christmas park and ride service not be delivered, there will be city wide implications, such as increased congestion, together with implications for visitors to the city. The contracts in place with the service providers enable early termination should the budget provision be withdrawn. Current contracts have an end date of 28 December 2013 with an option to extend.

## **7. CONSULTATION**

- 7.1 There is no consultation applicable to the contents of this report. Should it not be possible to deliver a Christmas park and ride service in the future the appropriate advertising will need to take place to inform all councillors, residents and potential users. A Cabinet Member Decision Notice may be required to deviate from Local Transport Plan 2.

## **8. NEXT STEPS**

- 8.1 Any recommendations from the Committee regarding the Christmas 2010 park and ride service should be referred to the Cabinet Member for Housing, Neighbourhoods and Planning for consideration.

## **9. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 9.1 Environment Capital Scrutiny Committee report - 15 February 2010

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<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 7</b>
<b>15 JULY 2010</b>	<b>Public Report</b>

## **Report of the Executive Director of Operations**

**Contact Officer – Charlotte Palmer, Climate Change Team Manager**

**Contact Details – 01733 453538 or email [charlotte.palmer@peterborough.gov.uk](mailto:charlotte.palmer@peterborough.gov.uk)**

### **REGISTRATION AS A PARTICIPANT IN THE CARBON REDUCTION COMMITMENT (CRC) ENERGY EFFICIENCY SCHEME**

#### **1. PURPOSE**

- 1.1 The purpose of this report is to present details of the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme, specifically the City Council's responsibility to register as a full participant in the scheme. The Committee are asked to consider and if deemed appropriate refer to the Cabinet Member for Environment Capital for decision.

#### **2. RECOMMENDATIONS**

- 2.1 That the Committee recommends to the Cabinet Member for Environment Capital that the Council should complete the registration process for the CRC in line with the organisations legal requirements under the Climate Change Act 2008 and CRC Energy Efficiency Scheme Order 2010.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 3.1 This area of work relates directly to the Sustainable Communities Strategy, specifically the priority to create the UK's Environment Capital and deliver substantial and truly sustainable growth. PCC have a legal requirement to take part in the CRC scheme, this is in addition to the requirements within the National Indicator set, namely NI 185 – CO<sub>2</sub> reduction from Local Authority Operations. NI 185 is not included within the LAA because it was felt that the indicator was too specific to a single organisation and therefore not ideal for a partnership document. NI 186, per capita reduction in CO<sub>2</sub> emissions, is included.

#### **4. BACKGROUND**

##### **4.1 Background to the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme**

The government's Carbon Reduction Commitment (CRC) Energy Efficiency Scheme is an obligatory emissions trading scheme covering non-energy intensive users in both public and private sectors. It is a central part of the UK's strategy to achieve the carbon emission reduction targets set in the Climate Change Act 2008. Organisations who consumed energy over a set threshold in 2008 are required to participate in the scheme and purchase allowance to cover their emissions.

The scheme consists of overlapping phases, each starting with a qualification year, a 'Footprint year' and Footprint report, and then Annual Reports, sales and surrender of allowances and revenue recycling.

Registration for the first phase of the scheme started in April and must be completed by the end of September 2010. The City Council is required to register for full participation in the scheme because it meets the qualification criteria.

## 4.2 Scope

The scheme covers all carbon dioxide emissions generated by an organisation's consumption of energy, namely electricity, gas and oil. Sources of emissions included within the scheme are administrative offices, schools, leisure centres, and day care homes, whilst transport related emissions, domestic emissions and emissions related to certain types of street lights (a recent amendment to a consultation) are excluded.

The organisation is defined as its individual listing, or listing of organisational type in the Freedom of Information Act. The extent of the organisation includes any mandatory grouping such as schools and legal entities such as fire authorities if the local authority is designated as a County Fire Authority. However if the local authority is a majority member in a company, i.e. holds majority voting right and is a member of or appoints members of the board of directors, then this company would have to participate in the scheme in its own right.

The CRC also requires that emissions from tenants are included where the landlord (PCC) is counterparty to the energy supply contract. This will include certain PFI and joint ventures where the City Council is counterparty to the energy contract or is the majority owner.

## 4.3 Reporting requirements and timescales

	<b>Requirement</b>	<b>Deadline</b>
Registration	Steps required to register for the CRC scheme include: Nominate the different contacts (see step 4) Obtain necessary security: digital certificates, certifications etc. Submit data for electricity consumed in 2008 through Half Hourly meters Submit our current organisational structure or 'universe' Pay registration charge and annual subsistence charge	Registration portal opens April 2010, and registration must be completed by September 2010.  The City Council is recommended to complete registration by end of July 2010 as there are numerous required steps (see left) as well as checks by the scheme administrator (the Environment Agency) that could take a month.  Outcome: once registration is complete and confirmed by the scheme administrator, a compliance account is created for participation in the trading scheme.
Footprint report	100% of emission data from the City Council's 'universe' for April 2010 to March 2011.  This footprint report defines the totality of the City Council's emissions for the first introductory phase of the scheme.	Submit in April 2011
Annual reports	As for the footprint year, except 10% of total footprint emission can be excluded, where they aren't from core sources, to reduce reporting burden.	Submit report for first annual reporting year (2010/11) in July 2011, and every subsequent year thereafter.

An evidence pack is required to be maintained throughout to support submissions, and for audit

purposes.

#### 4.4 **Costs, Recycling Payments, the Early Action Metric and the League Table**

The costs of the scheme include:

- Registration fee: £950
- Annual subsistence charges: £1,290
- Allowances:

Phase 1: allowances are purchased from government at £12 per tonne of carbon dioxide emitted. This will cost the City Council around £300k p.a.

In subsequent phases of the scheme, allowances will be traded on a secondary market between participants, so the price will be subject to market variability.

The scheme is designed to be revenue neutral, with the money from the sale of allowance recycled back to participants. The proportion of participants initial spend that they will recover depends upon their proportion of the total CRC emissions of all participants. This recycling payment is then adjusted according to the participants position in the performance league table. Ranking in the league table depends on participants relative performance, based upon three metrics:

1. The Absolute Metric: percentage change in emissions compared to previous years.

2. The Growth Metric: designed to take into account organisational growth but reduction in emissions intensity. Calculated as percentage change in emissions per unit of revenue expenditure.

3. The Early Action Metric: the percentage of emissions covered by either Automated Meter Readers and/or the Carbon Trust Standard (a certification for carbon management and not to be confused with the Carbon Trust Programme that the City Council is currently undertaking), by the start of the first annual reporting year (April 2011). This metric is designed to reward early movers in carbon management, before the CRC starts.

The relative weighting of these metrics varies throughout the phases. The league table is published in the same year as the purchase of allowances, but is based upon emissions reports from the previous year. The position in the league table determines a further bonus or penalty rate, which is added to the recycling payment. The participant at the top of the league table will receive a 10% bonus and the participant at the bottom a 10% penalty with the rest graded in-between. The bonus/penalty rate will increase year on year to 50% by year five (2015).

The league table will also be published, adding a reputational risk to poor performance.

#### 4.5 **Audit and penalties**

The scheme administrator will audit 20% of participants each year. This will centre on the evidence pack which backs up the emissions reports and provides justification for the organisation scope or 'universe'. Following the outcome of the NI 185 audit, it is likely PCC could be audited on the first compliance report, to check on our data quality. The CRC scheme carries substantial civil penalties for non-compliance with the scheme:

<b>Reason</b>	<b>Financial penalty</b>	<b>Other</b>
Failure to register	£5000 plus £500 per working day	Publication of non-compliance
Failure to submit footprint report	£5000 plus £0.05 per day per tonne of carbon dioxide emitted	Publication of non-compliance

Failure to submit annual report	£5000 plus £0.05 per day per tonne of carbon dioxide emitted	Publication of non-compliance Administrator will block transfer of allowances out of participants account Bottom ranking in Performance League Table
Incorrect reporting	Fine for £40 per tonne of carbon dioxide incorrectly reported where the margin of error is greater than 5%	Publication of non-compliance
Failure to surrender allowances (Performance Commitment)	Fine for £40 per allowance that should have been obtained and cancelled	Must obtain and surrender outstanding balance of allowances ASAP Publication of non-compliance Administrator will block transfer of allowances out of participants account
Failure to keep adequate records	Fine of £5 per tonne or carbon dioxide of total emissions reported in most recent annual report	Publication of non-compliance

In addition, there are criminal penalties, including imprisonment for up to 3 years and fines up to £50,000, for falsification of data or non-compliance with enforcements as detailed above.

## 5. KEY ISSUES

5.1 The following key issues should be considered by the Committee:

1. The City Council has a legal duty to participate in the scheme.
2. The scheme has significant potential financial and reputational risks for the City Council.

## 6. IMPLICATIONS

6.1 The implications for PCC not registering for the scheme include legal fees in excess of £5,000 for late registration and an addition £500 per day that the registration is delayed by. Alongside this there are significant reputational issues at risk.

Other implications including legal and financial implications are included in the body of the report.

## 7. CONSULTATION

7.1 The process for registration under the CRC has been developed by the officer level CRC Working Group and reported to the director level Carbon Management Programme Board.

## 8. NEXT STEPS

8.1 Following consideration from the Committee a Cabinet Member Decision will be taken by the Cabinet Member for Environment Capital. A draft decision notice is attached at Appendix A.

## 9. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

9.1 None



**10. APPENDICES**

- 10.1 Appendix A: Draft CMDN – CRC registration to be taken by the Cabinet Member for Environment Capital.

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<b>CABINET MEMBER FOR ENVIRONMENT CAPITAL</b>	
<b>July 2010</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Cllr Samantha Dalton, Cabinet Member for Environment Capital	
Contact Officer(s):	Paul Phillipson - Director of Operations Charlotte Palmer – Climate Change Team Manager	Tel. 453455 Tel: 453538

**Registration as a Participant in the Carbon Reduction Commitment Scheme**

R E C O M M E N D A T I O N S	
<b>FROM :</b> Director of Operations, Paul Phillipson	<b>Deadline date :</b> July 2010
<p>The Cabinet Member is recommended to:</p> <p>1. Submit the application for registration under the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme.</p>	

**1. ORIGIN OF REPORT**

1.1 This report is submitted to the Cabinet Member for Environment Capital, Councillor Samantha Dalton, following recommendations from the Environment Capital Scrutiny Committee.

**2. PURPOSE AND REASON FOR REPORT**

2.1 The purpose of this report is to provide additional background information with regard to Peterborough City Council's legal duty to register as a Full Participant in the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme before the end of September 2010 and provide background information relating to the CRC.

2.2 This report is for the Cabinet Member for Environment Capital to consider as set out at delegation number 3.11.2 of Part 3 of the delegation document.

**3. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>
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**4. CARBON REDUCTION COMMITMENT**

**4.1 Background**

The government's Carbon Reduction Commitment (CRC) Energy Efficiency Scheme is an obligatory emissions trading scheme covering non-energy intensive users in

both public and private sectors. It is a central part of the UK's strategy to achieve the carbon emission reduction targets set in the Climate Change Act 2008. Public and Private sector organisations that consumed energy over 6000MWh of electricity through the half hourly market during 2008 are required to participate in the scheme and purchase allowances to cover their emissions.

The scheme consists of overlapping phases, each starting with a qualification year, a 'Footprint year' and Footprint report, and then Annual Reports, sales and surrender of allowances and revenue recycling.

Registration for the first phase of the scheme started in April 2010 and must be completed by the end of September 2010. PCC is required to register for full participation in the scheme because it meets the qualification criteria above.

## 4.2 Scope

The scheme covers all carbon dioxide emissions generated by an organisation's consumption of energy, namely electricity, gas and oil. Sources of emissions included within the scheme are administrative offices, libraries, schools, leisure centres and day care homes, whilst transport related emissions, domestic emissions, community centres and emissions related to certain types of street lights (a recent amendment to a consultation) are excluded.

The organisation is defined as its individual listing, or listing of organisational type in the Freedom of Information Act. The extent of the organisation includes any mandatory grouping such as schools and legal entities such as fire authorities if the Local Authority is designated as a County Fire Authority. However if the Local Authority is a majority member in a company, i.e. holds majority voting rights and is a member of or appoints members of the board of directors, then this company would have to participate in the scheme in its own right.

The CRC also requires that emissions from tenants are included where the landlord (PCC) is counterparty to the energy supply contract. This will include certain Private Finance Initiative projects (PFI's) and joint ventures where the city council is counterparty to the energy contract or is the majority owner.

## 4.3 Reporting requirements and timescales

	<b>Requirement</b>	<b>Deadline</b>
Registration	<p>Steps required to register for the CRC scheme include:</p> <ul style="list-style-type: none"> <li>– Nominate the different contacts (see step 4);</li> <li>– Obtain necessary security: digital certificates, certifications etc;</li> <li>– Submit data for electricity consumed in 2008 through Half Hourly meters (HHM's);</li> <li>– Submit our current organisational structure or 'universe';</li> <li>– Pay registration charge and annual subsistence charge.</li> </ul>	<p>Registration portal opens April 2010, and registration must be completed by September 2010.</p> <p>The city council is recommended to complete registration by end of July 2010 as there are numerous required steps (see left) as well as checks by the scheme administrator that could take a month.</p> <p>Outcome: once registration is complete and confirmed by the scheme administrator (the Environment Agency), a compliance account is created for participation in the trading scheme.</p>

Footprint report	100% of emission data from The city council's 'universe' for April 2010 to March 2011.  This footprint report defines the totality of the city councils emissions for the first introductory phase of the scheme.	Submit in April 2011.
Annual reports	As for the footprint year, except 10% of the total footprint emissions can be excluded where they aren't from core sources in order to reduce the reporting burden.	Submit report for first annual reporting year (2010/11) in July 2011 and every subsequent year thereafter.

An evidence pack is required to be maintained throughout to support submissions, and for audit purposes.

#### 4.4 Costs, Recycling Payments, the Early Action Metric and the League Table

The costs of the scheme include:

- Registration fee: £950;
- Annual subsistence charges: £1,290;
- Allowances:

Phase 1: allowances are purchased from government at £12 per tonne of carbon dioxide emitted. This will cost the city council around £300k per annum, based upon annual emissions in the region of 25,000tCO<sub>2</sub>.

In subsequent phases of the scheme, allowances will be traded on a secondary market between participants, so the price will be subject to market variability.

The scheme is designed to be revenue neutral, with the money from the sale of allowances recycled back to participants. The proportion of participants initial spend that they will recover depends upon their proportion of the total CRC emissions of all participants. This recycling payment is then adjusted according to the participants position in the performance league table. Ranking in the league table depends on participants relative performance, based upon three metrics:

1. The Absolute Metric: percentage change in emissions compared to previous years;
2. The Growth Metric: designed to take into account organisational growth but reduction in emissions intensity. Calculated as percentage change in emissions per unit of revenue expenditure;
3. The Early Action Metric: the percentage of emissions covered by either Automated Meter Readers and/or the Carbon Trust Standard (a certification for carbon management and not to be confused with the Carbon Trust Programme that PCC is currently undertaking), by the start of the first annual reporting year (April 2011). This metric is designed to reward early movers in carbon management, before the CRC starts;

The relative weighting of these metrics varies throughout the phases. The league table is published in the same year as the purchase of allowances, but is based upon emissions reports from the previous year. The position in the league table determines a further bonus or penalty rate, which is added to the recycling payment. The participant at the top of the league table will receive a 10% bonus and the participant at the bottom a 10% penalty with the rest graded in-between. The bonus/penalty rate will increase year on year to 50% by year five (2015).

The league table will also be published, adding a reputational risk to poor performance.

#### 4.5 Audit and penalties

The scheme administrator will audit 20% of participants each year. This will centre on the evidence pack which backs up the emissions reports and provides justification for the organisation scope or 'universe'. Following the outcome of the NI 185 audit, it is likely the city council could be audited on the first compliance report, to check on our data quality. The CRC scheme carries substantial civil penalties for non-compliance with the scheme:

Reason	Financial penalty	Other
Failure to register	£5000 plus £500 per working day	Publication of non-compliance
Failure to submit footprint report	£5000 plus £500 per day of delay up to a maximum of 40 working days; or a fine of £40,000 if it is delayed more than 40 working days	Publication of non-compliance
Failure to submit annual report	£5000 plus £500 per day of delay up to a maximum of 40 working days; or a fine of £40,000 if it is delayed more than 40 working days	<ul style="list-style-type: none"> <li>– Publication of non-compliance</li> <li>– Administrator will block transfer of allowances out of participants account</li> <li>– Bottom ranking in Performance League Table</li> </ul>
Incorrect reporting	Fine for £40 per tonne of carbon dioxide incorrectly reported where the margin of error is greater than 5%	Publication of non-compliance
Failure to surrender allowances (Performance Commitment)	Fine for £40 per allowance that should have been obtained and cancelled	<ul style="list-style-type: none"> <li>– Must obtain and surrender outstanding balance of allowances ASAP</li> <li>– Publication of non-compliance</li> <li>– Administrator will block transfer of allowances out of participants account</li> </ul>
Failure to keep adequate records	Fine of £5 per tonne or carbon dioxide of total emissions reported in most recent annual report	Publication of non-compliance

In addition there are criminal penalties, including imprisonment for up to 3 years and fines up to £50,000, for falsification of data or non-compliance with enforcements as detailed above.

#### 5. CONSULTATION

The following officers have been consulted in relation to this decision:

Helen Edwards, Solicitor to the Council.  
Julie Robinson-Judd, Head of Asset Management.  
Emma Bakewell, Senior P2P Officer.  
Kirsty Nutton, Financial Services Manager – Corporate Accounting.

In addition, this information has been presented to the Carbon Management Programme Board and Environment Capital Scrutiny.

## **6. ANTICIPATED OUTCOMES**

Following consideration of this report the city council will complete the registration process for the CRC.

## **7. REASONS FOR RECOMMENDATIONS**

The city council has a legal duty to register and comply with the requirements set out in the *CRC Energy Efficiency Scheme Order 2010*. In addition ongoing work undertaken in this area will support the council's aspiration to create the UK's Environment Capital.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

The alternative option is not to register, which would result in fines for failure to comply with the legislation, would damage the council's reputation and ambitions to be recognised as Environment Capital. This option has therefore been rejected.

## **9. IMPLICATIONS**

In order to ensure the various tasks are understood and completed a CRC working group has been established, chaired by Helen Edwards. The tasks, which all relevant parties are aware of and will be overseen by the working group include:

- Identify all HHM's within the city council's estate and collate the consumption data for the 2008 calendar year which will be undertaken by the Asset Management Team within Strategic Property;
- Nominate individual officers required to fulfil particular roles within the scheme;
- Ensure the corporate budget plan includes details of the costs associated with the CRC;
- Work with procurement to ensure Automatic Meter Reader's are installed to ensure PCC secures a position in the top half of the league table.

## **10. BACKGROUND DOCUMENTS**

The Carbon Reduction Commitment Order 2010 can be found at:

[http://www.opsi.gov.uk/si/si2010/uksi\\_20100768\\_en\\_1](http://www.opsi.gov.uk/si/si2010/uksi_20100768_en_1)

The Climate Change Act 2008 can be found at:

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=climate+change&Year=2008&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=3539938&PageNumber=1&SortAlpha=0>

The CRC guidance document published by the Department for Energy and Climate Change (DECC) can be found at:

[http://www.decc.gov.uk/en/content/cms/what\\_we\\_do/lc\\_uk/crc/crc.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/lc_uk/crc/crc.aspx)

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<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 8</b>
<b>15 JULY 2010</b>	<b>Public Report</b>

## **Report of the Executive Director of Operations**

**Report Author** – **Brian Armstrong, Wildlife Officer**  
**Contact Details** – **01733 453400 or email brian.armstrong@peterborough.gov.uk**

### **CITY COUNCIL'S BIODIVERSITY STRATEGY: UPDATE OF STRATEGY TO TAKE ACCOUNT OF LEGISLATIVE CHANGES**

#### **1. PURPOSE**

- 1.1 The purpose of this report is to present the updated Biodiversity Strategy for the Committee to consider and if considered appropriate to refer it to the Cabinet.

#### **2. RECOMMENDATIONS**

- 2.1 That the Committee receives and endorses the updated Biodiversity Strategy and the measures outlined within it, which will replace the existing 2004 Strategy.
- 2.2 That the Committee refers the Strategy to Cabinet for endorsement prior to its consideration by Council as part of the Major Policy Framework.
- 2.3 That the Committee recommends to Cabinet that the requirement for additional resources is considered during the development of future Council Budgets alongside other budget pressures.
- 2.4 That the Committee agrees to receive annual progress reports against the updated Strategy.
- 2.5 That the Committee, if felt appropriate, refers the draft policy for works during the bird nesting season to Peterborough City Services to lead on the progression of this item separately from the Biodiversity Strategy. Support to be provided in this respect from the City Council's Officer Working Group for Biodiversity as required.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 3.1 The updated Strategy is directly linked to the Sustainable Community Strategy (SCS) and LAA via National Indicator 197 County Wildlife Sites and associated targets. It is more generally linked to the SCS and National Indicators via the Cleaner Greener sections of these documents.

#### **4. BACKGROUND**

- 4.1 The proposed update of the Biodiversity Strategy was previously considered by the Scrutiny Committee in September 2009. The existing 2004 Strategy required an update primarily to take into account S40 of the Natural Environment and Rural Communities Act 2006:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

In September 2009 the Scrutiny Committee recommended to Cabinet that it:

(i) endorse the Biodiversity Strategy prior to its consideration by Council as part of the Major Policy Framework; and

(ii) consider the requirement for additional resources during the development of the Council Budget for 2010/11 alongside other budget pressures.

- 4.2 Prior to going before Cabinet the Strategy was considered by the Corporate Management Team. A concern was raised at this point with respect to the additional cost of using hand held hedge cutting tools (petrol hedge cutters) instead of mechanised cutting of hedges and shrubs in the bird nesting season. In light of this concern the Strategy was referred back to the Scrutiny Committee to consider amendments regarding manual cutting prior to resubmission to Cabinet.
- 4.3 A recommendation was also made that the Strategy should be separated into two documents, a concise report for Cabinet and a main policy document.
- 4.4 Further updates have been made to the Strategy and covering report in light of these recommendations and are summarised in the table below for the Scrutiny Committee's consideration:

<b>Item previously proposed as part of the Strategy</b>	<b>Proposed changes in the latest update of the Strategy</b>
Vision Statement	Retained as the first part of the Strategy and presented at Appendix A to this report.
Action Points	Retained as the second part of the Strategy and updated to reflect recommendation with respect to bird nesting policy and retention of analysis of implications of the Strategy only as part of the covering report. Presented at Appendix B to this report.
Summary of BAP targets	Removed from the Strategy and a link to the web based copy of Biodiversity Action Plans inserted as a footnote within the Vision Statement.
Analysis of implications of the Strategy including Financial Implications	Removed from the Strategy but included as part of the covering report. Updated to reflect removal of bird nesting policy. Presented at Appendix C to this report.
Policy with respect to works during the bird nesting season previously proposed as part of the Biodiversity Strategy.	Removed from the Strategy and referred to Peterborough City Services to lead on the progression of this item separately from the Biodiversity Strategy. Support to be provided in this respect from the City Councils Officer Working Group for Biodiversity as required. Draft of this presented at Appendix D to this report for ease of reference and clarity only.

## 5. KEY ISSUES

- 5.1 The key issues which the Committee need to consider are laid out in the appendices. These include changes to land management practices, the ability of the Council to maintain existing resourcing and in some instances make other resources available. In many cases additional resources can be used to access additional external funding for restoration and habitat creation works, however routine management would have to be met by the Council's own resources.

## 6. IMPLICATIONS

- 6.1 The incorporation of biodiversity into many of the Council's functions and services can be achieved within existing resources, providing that this is maintained. This is supported by the experience of the implementation of the 2004 Strategy.
- 6.2 However analysis of the proposed update to the Biodiversity Strategy has identified that some additional resources would be required. In some cases additional resource requirements can also be offset by seeking external funding for restoration of degraded habitats, however routine management could not generally be funded in this way.

A summary of the additional financial resource implications is summarised in the table below:

Element	Annual Costs (Revenue)	Single/One off Costs		Responsible
		Revenue	Capital	
Changes in Management Practices to road verges to enhance County Wildlife Sites, reflect designation of new sites and create habitat links	£8798	N/A	N/A	Highways/ Peterborough City Services
Secure management of the Boardwalks Local Nature Reserve by a body such as the Wildlife Trust, Froglife or Nene Park Trust. This may be offset by the current cost incurred by PCS for day to day management of the Boardwalks.	£4000*	N/A	N/A	Peterborough City Services
Chemical Treatment of Japanese Knotweed at the Boardwalks Local Nature Reserve	N/A	£600		Peterborough City Services
Match funding to make 3 bids for up to £98,000 of external funding. This is for works to Local Nature Reserves and Sites of Special Scientific Interest.	N/A	£2000	£10,000	Peterborough City Services
Signage for County Wildlife Site Road Verges including new sites and extensions	N/A	N/A	£3410	Highways/ Peterborough City Services
<b>Totals</b>	<b>£12,798</b>	<b>£2,600</b>	<b>£13,410</b>	<b>£28,808</b>

Owing to the success of the 2004 Strategy and the maintenance of existing resources in support of it, the degree of additional funding required to comply with the Biodiversity duty is greatly reduced.

- 6.3 This report has implications throughout the authority area where the Council is a Landowner or Manager.

## 7. CONSULTATION

- 7.1 Consultation has been undertaken with the Officers, Groups and organisations which were consulted with respect to the original Biodiversity Strategy along with additional relevant

organisations that have become known in the Peterborough area in the intervening time. These have included:

- BritishTrust for Conservation Volunteering (BTCV)
- Buglife
- Consultation has also been undertaken with the Council's Finance as well as Legal and Democratic Services.
- Council Officers within the update working group and Biodiversity Officer Working Group. This includes, Bereavement, Recreation, City and Education Services, tree and woodland team, Natural Environment Team. Landscape Architect, Transportation.
- Councillor representatives within the Working Group
- Forestry Commission
- Froglife
- Natural England
- Parish Councils
- PECT
- Peterborough Bird Club
- Peterborough Conservation Volunteers
- Peterborough Friends of the Earth
- Planning Policy team
- RSPB
- The Landyke Trust
- The Wildlife Trust
- Woodland Trust
- Greater Peterborough Partnership
- Opportunity Peterborough

7.2 Councillor Sandford as a member of the working group updating the Strategy has indicated agreement with all the recommendations in the report with the exception of Appendix B, point 20 (pesticides). Councillor Sandford has indicated that this should go further to require a commitment to reducing usage of herbicide progressively over time, and felt that a commitment to review usage is not useful if it does not state any intention to do anything as a result. Councillor Sandford has indicated that previously there was a commitment to reduce herbicide usage in the Council's Environmental Strategy and for example organisations signing up to Forest Stewardship Council certification on sustainable tree/woodland management are required to make such a commitment.

## **8. NEXT STEPS**

8.1 To refer the Strategy to Cabinet for endorsement prior to the Vision Statement being considered by Council as part of the Major Policy Framework.

8.2 To receive an annual report with respect to progress in implementing the Strategy from the Biodiversity Officers Working Group. This would include all parts of the Strategy including the approach and specific actions.

8.3 To refer the draft policy for works during the bird nesting season to Peterborough City Services to be progressed as a separate item from the Biodiversity Strategy. This to be supported by the City Councils Officers Working Group for Biodiversity as required.

## **9. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- Natural Environment and Rural Communities Act 2006 (Section 40).
- Guidance for Local Authorities on Implementing the Biodiversity Duty, Defra, May 2007.
- Peterborough City Council Approach to Biodiversity submitted to the Environment Policy Overview Committee on 2 August 2004.

- Peterborough Sustainable Community Strategy (including Rural Vision Strategy and Environment Capital manifesto).
- Cambridgeshire and Peterborough Biodiversity Action Plan targets.

## **10. APPENDICES**

- 10.1 Appendix A: Vision Statement. (Part 1 of 2 of the Biodiversity Strategy).
- 10.2 Appendix B: Action Points. (Part 2 of 2 of the Biodiversity Strategy).
- 10.3 Appendix C: Financial Implications. (Part of this report but not the biodiversity Strategy).
- 10.4 Appendix D: Policy with respect to works during the bird nesting season (previously proposed as part of the Biodiversity Strategy and included for Reference only).

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## VISION STATEMENT

The working group has developed the following updated vision of what the Council's approach to Biodiversity should be:

### PETERBOROUGH CITY COUNCIL AND BIODIVERSITY

a) **Our vision**

- i) The Peterborough area has a rich mix of habitats including woodland, parkland, rivers, and alluvial and limestone grassland. Peterborough's Natural Environment Audit identifies approximately 10% of the district is of at least county significance for its wildlife and 2% of the area as of national importance. This includes 3 sites which are also of international importance. Peterborough City Council wants to see its district remain rich in wildlife, with existing habitats of value safeguarded for future generations and new features for wildlife created wherever possible.
- ii) Peterborough City Council is committed to the Peterborough Sustainable Community Strategy and Local Area Agreement. It recognises that biodiversity is a key part of the LAA, Community Strategy and its component parts such as the Rural Vision Strategy and Environment Capital manifesto.
- iii) The City Council recognises that Biodiversity and the Natural Environment enhance wellbeing and quality of life by enhancing the places in which we live, work and play. It can give economic benefits through tourism and the production of quality local produce. Natural habitats can absorb floods, help treat pollutants and act as windbreaks. There are also cultural and aesthetic aspects to Biodiversity, for example through the writings of John Clare.
- iv) The City Council recognises that Biodiversity – or more simply the wealth of wildlife is a truly cross-cutting theme. The City Council will, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity<sup>1</sup>. As such it will be included in all Council strategies, plans, programmes and practices.
- v) The City Council recognises that biodiversity is under threat from habitat and population fragmentation, climate change, invasive alien species as well as development and land pressures. The City Council will play its part in countering these threats, working to protect and enhance, sites, habitats and species of biodiversity importance, including the protection and provision of a network of wildlife corridors to establish physical links between sites and populations of known wildlife interest.
- vi) The City Council will work with partners to achieve a net gain in Biodiversity in the district by protecting these key habitats, species, and habitat networks; mitigating against potentially damaging impacts; seeking compensation where damage is unavoidable; and enhancing existing or creating new habitats of value wherever possible.

b) **Our approach**

To achieve this vision for Biodiversity the City Council adopts the following broad approach, in that it will take reasonable steps which are consistent with the proper exercise of the authorities functions to:

- i) **Awareness raising:** Make every attempt to ensure that employees and members of Peterborough City Council are aware of the importance of and need to

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<sup>1</sup> As required by section 40 of the Natural Environment and Rural Communities Act 2006.

safeguard, enhance and promote Biodiversity through the City Council's activities and thereby contribute to the achievement of this approach.

- ii) **Habitat networks and Climate Change:** Work with the Peterborough Natural Networks partnership and contribute to the achievement of the green grid strategy to form a coherent and less fragmented green infrastructure network of habitats across the authority area<sup>2</sup>; which will be robust to the effects of and facilitate adaptation to climate change by species and habitats.
- iii) **Sites of Special Scientific Interest: Take reasonable steps consistent with the proper exercise of the authority's functions,** to further the conservation and enhancement of Sites of Special Scientific Interest and International Sites<sup>3</sup>.
- iv) **County Wildlife Sites:** Work with the Wildlife Trust and Local Sites partnership to further the conservation and enhancement of Local Wildlife Sites. Also to ensure that up-to-date information is available for all local wildlife sites in Peterborough and work with partners to deliver the targets of the Local Area Agreement and Community Strategy with respect to Local Wildlife Sites.
- v) **Non native invasive species:** Take action to deal with invasive non native species where these are present on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.
- vi) **The Planning system:** Ensure that biodiversity is protected and enhanced within the planning system within Peterborough and deliver the key principles for biodiversity set out in national planning guidance. Where full protection is not possible mitigation and compensatory measures should be put in place.
- vii) **Green Spaces:** Increase and diversify wildlife interest in all green places and open spaces; and provide access to sites of wildlife interest for all sections of the community, including the disabled and disadvantaged. Also to promote accessibility to wildlife by creating these new habitats in public areas and encourage their creation in private areas such as, schools, factories, offices.
- viii) **Wider understanding:** Promote wider understanding and enjoyment of Peterborough's wildlife through formal and informal education and interpretation, and events such as Peterborough's annual Green Festival.
- ix) **Involvement:** Promote active interest and involvement in wildlife issues at the local, national and international levels by all sections of the community at home, in the workplace, as a leisure activity and as part of the local economy.
- x) **Local wildlife groups:** Assist local voluntary wildlife groups in their aims of protecting wildlife and promoting interest in conservation.
- xi) **Biodiversity Action Plan targets:** Contribute to the achievement of the Biodiversity Action Plan Targets relevant to the authorities functions and area<sup>4</sup>. To continue to support the Cambridgeshire and Peterborough Biodiversity Partnership.
- xii) **Biodiversity Data:** Ensure that up to date biodiversity data is available and used appropriately to support this approach.

Actions to achieve this vision and broad approach are described in more detail in appendix B.

<sup>2</sup> As required by Regulation 37 of the Habitats Regulations.

<sup>3</sup> As required by Section 28G of the Wildlife and Countryside Act 1981 (as amended).

<sup>4</sup> [www.cambridgeshire.gov.uk/environment/countryside/natureconservation/action/partnership](http://www.cambridgeshire.gov.uk/environment/countryside/natureconservation/action/partnership)



### SPECIFIC ACTIONS TO ACHIEVE THE VISION AND APPROACH OUTLINED IN APPENDIX A

It is intended that opportunities will be exploited as they arise, however the following specific actions and possible methods of delivery have been identified under the headings used in the approach and also the vision and approach more generally.

	Specific action	Possible methods of delivery, consideration and comments
<b>Awareness Raising</b>		
1	<p>All City Council and contract staff directly involved in the management of open space should be given training and guidance on good management practice to safeguard and promote Biodiversity.</p> <p>This should include the identification of 'model' sites to demonstrate best practice.</p>	<p>Opportunities for internal and external training and guidance to be regularly brought to the attention of and where appropriate taken up by employees and members. Internal training to be requested from the councils own internal specialists where required.</p>
<b>Habitat Networks and Climate Change</b>		
2	<p>Where PCC owned or managed land forms part of a wildlife corridor its management will aim to facilitate its role as a part of the ecological network it is part of.</p>	<p>An analysis of habitat networks and gaps within them has identified that road verges are the main area where the City Council can directly contribute to increasing the connectivity of habitat networks. A number of specific examples have been identified for further investigation/progression.</p>
<b>Sites of Special Scientific Interest</b>		
3	<p>Secure funding for enhancement works and SSSI specific management for the PCC owned part of the Orton Pit SSSI.</p>	<p>This is the only PCC owned SSSI and consists of part of the treebelt which runs along the southern edge of the Fletton Parkway. Woodland grant scheme could be sought to cover a significant proportion of SSSI specific works within the Treebelt.</p> <p>Other opportunities to assist Natural England with the conservation and enhancement of SSSIs should also be supported. This may for example include efforts to create habitat links to connect SSSIs within the wider landscape as outlined under specific action 2 above.</p>
4	<p>Continue to work with Natural England in their role as statutory adviser in planning and development matters pertaining to SSSIs and International sites.</p>	<p>Continue dialogue at the strategic planning level as well as with respect to specific development proposals.</p> <p>Contributes to item 3 of the approach outlined as part of the vision statement.</p>

	Specific action	Possible methods of delivery, consideration and comments
<b>County Wildlife Sites</b>		
5	<p>All PCC County Wildlife Sites to be positively managed to conserve and where possible enhance the site for the criteria for which they are designated CWS.</p>	<p>Re-survey of all wildlife sites in the Peterborough area is in part covered under a service level agreement between the Wildlife Trust and the City Council.</p> <p>PCC are responsible for 12 out of 107 wildlife sites:</p> <p>Eye Green gravel pit                      The Boardwalks                      Debdale pond                      Broadway Cemetery                      Eastfield Cemetery                      Pocock's Wood                      Grimeshaw Wood, Highlees Spinney, Spencer's Hurn &amp; Water Spinney                      Holywell Fish Ponds                      Southey Lodge verge (Langley Bush Road).                      Stamford Rd./Heath Rd./ Ailsworth Rd./King St. verges (Includes "Marholm road" west of King Street Crossroad)                      Barnack road verges                      Bedford Purlieus-Wittering road verge</p> <p>One site is due to be added, this is 1400m of road verge at the south end of Highfield road.</p> <p>A number of possible actions have been identified which might be required to continue the positive management of these sites. This includes the drawing in of external funding for the restoration of woodland and minor amendments to mowing regimes for road verges.</p>
<b>Non native invasive species</b>		
6	<p>Employ best practice procedures to deal with invasive non native species on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.</p> <p>Otherwise the occurrence of invasive non native weed</p>	<p>Invasive species which are problematic in the Peterborough area and on sites managed by the authority include:</p> <p>Japanese Knotweed                      Giant Hogweed                      Orange Balsam</p>

	<b>Specific action</b>	<b>Possible methods of delivery, consideration and comments</b>
	species should be reported by PCC officers where this is observed as a result of carrying out their normal duties.	<p>The authority should also be on its guard against other problem species such as:</p> <p>Himalayan Balsam New Zealand pygmyweed Parrots feather</p> <p>Training in the recognition of these species should be organised for non specialist employees/contractors as required.</p> <p>One nature reserve currently has a problem with Japanese Knotweed although treatment of this has recently commenced.</p>
<b>The Planning System</b>		
7	Planning related departments of the City Council to continue to work with internal advisers, conservation bodies and local groups with respect to the production of a Local Development Framework and also specific development proposals.	Training as outlined in respect of specific action 1 in this table is also relevant in this respect.
<b>Green Spaces</b>		
8	In the short-term reasonably significant areas should be identified for trialling new approaches to landscape management.	<p>The area chosen should be large enough to contain a variety of types of landscape (e.g. parks, playing fields, kick about areas, open space in housing areas, etc). The trial should involve consultation with local residents and relevant departments within the City Council in planning the management of such areas, and offer a range of different options for particular sites within the trial area and the habitats they possess.</p> <p>Where appropriate this could be through the use of set conservation management specifications or where it would be beneficial the production of management plans for these spaces such as already demonstrated for Central Park. The possibility of reduction in management costs should be acknowledged as a possibility via this change in management<sup>1</sup>. The possibility of the creation of new purpose designed sites and habitats for wildlife and people should not be ruled out nor should the potential role of the PCC Agricultural Estate.</p>

<sup>1</sup> Such as identified in the Urban Forestry Report "Trees or Turf? Best value in managing urban green space".

	<b>Specific action</b>	<b>Possible methods of delivery, consideration and comments</b>
9	Biodiversity should be incorporated into all landscape management contracts.	<p>The Best Value review of Contract Services considered the Biodiversity impact of all activities carried out, including grass cutting regimes, weed control and pesticide use.</p> <p>Contributes to item 7 of the approach.</p>
10	<p>Production of management plans for open spaces as has been done for Central Park.</p> <p>In the context of the above, where appropriate incorporate differential grass cutting regimes in parks, verges and large open spaces.</p>	<p>In consultation with relevant departments within the City Council and local residents and user groups. It should be recognised that works that are required on the grounds of Health and Safety take precedence over the needs of wildlife.</p> <p>This could however form part of the approach to PCCs creation of links within the habitat network discussed in line two above.</p>
11	<p>The loss of hedges and shrubs will be resisted unless there are sound horticultural or other reasons to indicate otherwise e.g. the maintenance of highway safety, disease, structural damage or the shrubs are due for replacement.</p> <p>Where the loss of an established hedgerow is unavoidable, such as in major infrastructure projects the transplantation or otherwise replanting of hedgerows should be expected to take place as a standard approach.</p> <p>Where it is appropriate, consideration will be made for the gradual replacement of non-native species with native species.</p>	<p>For example where suitable native species can be selected to provide a similar landscape function.</p>
12	Give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.	<p>The principle of leases of certain areas to some bodies (e.g., Eye Green Local Nature Reserve to the Wildlife Trust) has been established but could be expanded to include leasing some open spaces to residents associations and Parish Councils with some delegated budgets for management. Further work with bodies such as Natural England and Wildlife Trust would be needed to develop and encourage these schemes. Support for small-scale community wildlife schemes is also provided through the Natural Environment projects grant</p>

	Specific action	Possible methods of delivery, consideration and comments
		<p>scheme.</p> <p>PCC support of projects such as Nature in Your Neighbourhood and any successor projects such as Access to Nature would be relevant in this respect.</p>
13	Recognise the role of allotments and cemeteries in promoting Biodiversity.	<p>For example:</p> <p>Opportunities should be taken where there is local support for the utilisation of disused allotments and closed cemeteries for promoting wildlife habitats.</p> <p>Allotments and cemeteries that are in use have a part to play with respect to Biodiversity. This is not intended to be in conflict with their operating requirements.</p> <p>Initiatives such as biodiversity guidance for allotment holders should continue.</p>
<b>Wider understanding</b>		
14	Support initiatives to encourage wildlife friendly gardening, recognising the increasing amount of land devoted to this usage.	For example via Peterborough in Bloom.
<b>Involvement and Local Wildlife Groups</b>		
15	With partners investigate the re-instatement of a Peterborough Wildlife Group or Wildlife forum.	<p>At a recent urban wildlife meeting with local wildlife groups; support was voiced for the possibility of bringing back the Urban Wildlife Group for Peterborough.</p> <p>Also see action above under broad approach 8 of the Vision statement, to give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.</p>
<b>Biodiversity Action Plan Targets</b>		
16	Establish measurable annual targets for the creation of new areas of wildlife interest.	Including tree/shrub planting and woodland creation – both through the City Council's own land management and its role as a planning authority.

	Specific action	Possible methods of delivery, consideration and comments
		The Natural Networks partnership is investigating how the targets from the Green Grid Strategy, Cambridgeshire and Peterborough Biodiversity Action Plan and Peterborough Environment Audit can be brought together as one set of targets for Peterborough. If this were achieved it may be possible to further extract a set of targets for the City Council.
<b>Biodiversity Data</b>		
17	Continue to support the Biological Records Centre for Cambridgeshire and Peterborough.	A biological records centre is essential to enable effective and efficient management of biological and ecological data about Peterborough, but would be financially unsustainable if developed just for the Peterborough area. This data is a pre-requisite to the planning, implementation and monitoring of Biodiversity gain, as well as the achievement of more sustainable patterns of development. Effective management of biological data is also essential to the monitoring of the success or otherwise of the targets set out in the Cambridgeshire and Peterborough Biodiversity Action Plan.
<b>Overall Contribution to the Vision Statement and Approach</b>		
18	Give particular emphasis to the protection of ancient, and semi-natural habitats through all the City Council's activities.	For example ancient woodland and veteran trees.
19	Investigate and exploit external funding opportunities for creating and enhancing the Biodiversity value of City Council managed land. For example from Forestry Commission, Natural England, landfill tax or aggregates levy.	While much can be achieved by the City Council, this should be viewed as essential to achieving many of the actions listed above.
20	Continue to review the use of pesticides (including fungicides and herbicides) in the City Council's land management.	Such that their use is consistent, minimised and very carefully targeted in line with COSHH regulations requirements.

**EXTRAPOLATION OF SPECIFIC TASKS AND THEIR FINANCIAL IMPLICATIONS IN COMPLYING WITH THE BIODIVERSITY DUTY THROUGH THE BIODIVERSITY STRATEGY, ITS VISION STATEMENT, APPROACH AND SPECIFIC ACTIONS**

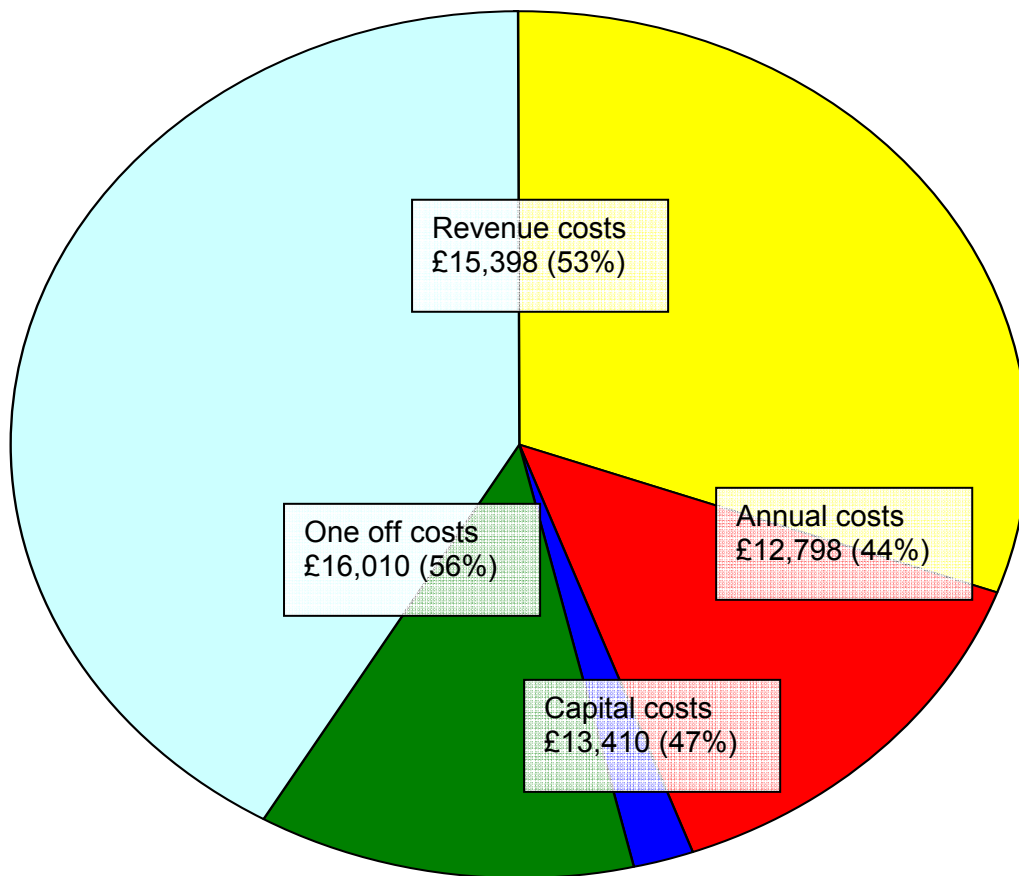
**1. Summary**

Overall achieving the elements set out in the updated biodiversity strategy will require the City Council to continue to resource its current efforts and in some instances change management practices. This will have financial implications which are considered in detail below. In many instances the cost of restoring or creating habitats can be off set by seeking external funding or other changes to management practices which are less expensive than existing.

Overall the assessment carried out below has identified that the following additional funding would be required:

Element	Annual Costs (Revenue)	Single/One off Costs		Responsible
		Revenue	Capital	
Changes in Management Practices to road verges to enhance County Wildlife Sites, reflect designation of new sites and create habitat links	£8798	N/A	N/A	Highways/ Peterborough City Services
Secure management of the Boardwalks Local Nature Reserve by a body such as the Wildlife Trust, Froglife or Nene Park Trust. This may be offset by the current cost incurred by PCS for day to day management of the Boardwalks.	£4000*	N/A	N/A	Peterborough City Services
Chemical Treatment of Japanese Knotweed at the Boardwalks Local Nature Reserve	N/A	£600		Peterborough City Services
Match funding to make 3 bids for up to £98,000 of external funding. This is for works to Local Nature Reserves and Sites of Special Scientific Interest.	N/A	£2000	£10,000	Peterborough City Services
Signage for County Wildlife Site Road Verges including new sites and extensions	N/A	N/A	£3410	Highways/ Peterborough City Services
<b>Totals</b>	<b>£12,798</b>	<b>£2,600</b>	<b>£13,410</b>	<b>£28,808</b>

**Distribution of additional costs**



- Changes in Management Practices to road verges to enhance County Wildlife Sites and create habitat links. £8,798
  
- Secure management of the Boardwalks Local Nature Reserve by a body Such as the Wildlife Trust, Froglife or Nene Park Trust. £4000
  
- Chemical Treatment of Japanese Knotweed at the Boardwalks Local Nature Reserve. £600
  
- Signage for County Wildlife Site Road Verges and extensions £3410
  
- Match funding to make 3 bids for up to £98,000 of external funding. This is for works to Local Nature Reserves and Sites of Special Scientific Interest. £12,000





An overall failure to implement the Strategy would entail non compliance with Biodiversity Duty, failure to be worthy of Environment City status or to be able to present Peterborough as the UKs environment capital. Associated negative effects to quality of life and the economy and cultural heritage should also be expected as should a more limited contribution to flood and pollution control.

## 2. Detailed breakdown of specific actions and financial implications

A detailed breakdown of specific actions and their financial implications is detailed in the table below. Elements already present in the 2004 Strategy have been included for completeness but are left unshaded. The 2004 strategy by the way in which it was adopted was to be achieved within existing resources. Progress reports with respect to achieving the requirements of the 2004 strategy have been made to Councillors since its adoption. Where satisfactory progress is already being made within existing resources this has been used as a basis to demonstrate that this is a valid financial consideration in respect of the inclusion of these actions in this updated 2009 strategy. The table is otherwise colour coded blue to show what actions are new to the Strategy but which are already being achieved within existing resources and green to show where new actions are proposed and additional resourcing would be required.

 Elements which were already present within the 2004 Biodiversity Strategy and which therefore are already being achieved within existing resources.

 New elements which were not already present within the 2004 Biodiversity Strategy but which are already being achieved within existing resources or where no resource change would be required.

 New elements which were not already present within the 2004 Biodiversity Strategy where a resource change would be required.

	<p><b>Approach to achieving the vision</b></p>	<p><b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)</p>	<p><b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b></p>	<p><b>Financial Implications of Specific Actions</b></p>	<p><b>Implication of not carrying out action</b></p>	<p><b>Responsible/ Lead for specific task</b></p>
<p>1</p>	<p>Make every attempt to ensure that employees and members of Peterborough City Council are aware of the importance of and need to safeguard, enhance and promote Biodiversity through the City Council's activities and thereby contribute to the achievement of this approach.</p>	<p>All City Council and contract staff directly involved in the management of open space should be given training and guidance on good management practice to safeguard and promote Biodiversity.</p> <p>This should include the identification of 'model' sites to demonstrate best practice.</p>	<p><b>Training</b></p> <p>Opportunities for internal and external training and guidance to be regularly brought to the attention of and where appropriate taken up by employees and members. Internal training to be requested from the councils own internal specialists where required.</p>	<p>Currently being achieved through existing resources under the 2004 Biodiversity Strategy.</p> <p>Internal training can be provided within existing resources providing that these are maintained.</p> <p>Guidance is routinely available electronically at no cost.</p> <p>External training has been provided in the past through the City Councils existing partnerships with other organisations at little additional cost to its current commitments.</p> <p>Other external training would need to be subject to the normal</p>	<p>Fundamental to achieving implementation of the Biodiversity Strategy, Vision statement and biodiversity duty.</p>	<p>Natural Environment Team/All</p>

	<b>Approach to achieving the vision</b>	<b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)	<b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b>	<b>Financial Implications of Specific Actions</b>	<b>Implication of not carrying out action</b>	<b>Responsible/ Lead for specific task</b>
				process of requesting training and the consideration of this by the Corporate Management Team.		
2	Work with the Peterborough Natural Networks partnership and contribute to the achievement of a coherent and less fragmented network of habitats across the authority area; which will be robust to the effects of and facilitate adaptation to climate change by species and habitats.	Where PCC owned or managed land forms part of a wildlife corridor its management will aim to facilitate its role as a part of the ecological network it is part of.	<p><b>Site and works required (Habitat Networks)</b></p> <p>Extension to management employed on Southey Lodge Road Verge County Wildlife Site to link this with Sutton Heath and Bog SSSI and grassland at Upton which would form the PCC part of a possible link to Castor Hanglands SSSI.</p> <p>Change in management of road verge of Main Street south of Southorpe to replicate that employed on road verge CWS. This would link a number of grasslands to Sutton Heath and Bog SSSI and contribute to a much improved link with Sutton Meadows North CWS</p>	<p><b>Financial implication</b></p> <p>Management of 7000 m of road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £2604 PA.</p> <p>Signage for verge £260.</p> <p>Change in Management of 6000 m of road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £2232 PA.</p>	Threat to delivery of a habitat network which will be resistant to climate change.	<p>Highways/ Peterborough City Services</p> <p>Highways/ Peterborough City Services</p>

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			and Sutton Disused Railway CWS.	Signage for verge: £176		
			Extension to management employed on Bedford Purlieus/Wittering Road Verge County Wildlife Site to link this with Wittering Valley CWS.	Change in Management of 2000 m road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £744 PA.		Highways/ Peterborough City Services
			Extension to management employed on Stamford etc Road Verge County Wildlife Site to the north to link this with Ring and Bailey Meadow CWS as well as the east coast mainline and therefore Marholm Crossing CWS and Bainton Pits CWS.	Change in Management of 3400 m of road verge in line with that used for a CWS road verges (with additional cut at beginning of year) is estimated to cost £1265 PA.  Signage for verge: £304		Highways/ Peterborough City Services
			Extension to management employed on Stamford etc road verge County Wildlife Site to the south to link this with Ailsworth Marsh and	Change in Management of 2100 m of road verge in line with that used for a CWS road verges		Highways/ Peterborough City Services

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
			Green Lane CWS and the PCC part of a possible link to Ailsworth Meadow South.	(with additional cut at beginning of year) is estimated to cost £782 PA.		
3	Work with Natural England to further the conservation and enhancement of Sites of Special Scientific Interest.	Secure funding for enhancement works and SSSI specific management for the PCC owned part of the Orton Pit SSSI.	<p><b>Sites of Special Scientific Interest</b></p> <p>This is the only PCC owned SSSI and consists of part of the treebelt which runs along the southern edge of the Fletton Parkway. Woodland grant scheme could be sought to cover a significant proportion of SSSI specific works within the Treebelt.</p> <p>Other opportunities to assist Natural England with the conservation and enhancement of SSSIs should also be supported. This may for example include efforts to create habitat links to connect SSSIs within the wider landscape as outlined under specific action 3 above.</p>	<p>This is estimated to be likely to cost up to £10,000, however up to 80% of the cost of works could be sought through a woodland grant from the Forestry Commission.</p> <p>This is none the less a statutory requirement of the authority under S28 G of the Wildlife and Countryside act.</p>	Failure to comply with the authorities legal duty with respect to SSSIs.	Tree and Woodland Team/ Peterborough City Services

	<b>Approach to achieving the vision</b>	<b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)	<b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b>	<b>Financial Implications of Specific Actions</b>	<b>Implication of not carrying out action</b>	<b>Responsible/ Lead for specific task</b>
		Continue to work with Natural England as their role as statutory adviser in planning and development matters pertaining to SSSIs.	Such as strategic planning which may affect SSSIs as well as specific development proposals.	This is an existing duty in the planning system and can continue to be delivered providing that existing resources are maintained.	Failure to comply with the authorities legal duty with respect to SSSIs, national, regional and local planning policy.	Planning Department and Planning Policy
4	Work with the Wildlife Trust and Local Sites partnership to further the conservation and enhancement of Local Wildlife Sites. Also to ensure that up-to-date information is available for all local wildlife sites in Peterborough and work with partners to deliver the targets of the Local Area Agreement and Community Strategy with respect to Local Wildlife Sites.	See below.	<b>Survey of County Wildlife Sites</b> Re-survey of all wildlife sites in the Peterborough area is in part covered under a service level agreement between the Wildlife Trust and the City Council.	The achievement of the approach is currently being achieved within existing resources (£4600 PA). This can continue providing that this resourcing is maintained.	Failure to achieve LAA target in respect of CWS.	Natural Environment Team /Planning Policy
5	Contributes to Local Sites part of the approach outlined	All PCC County Wildlife Sites to be positive	<b>County Wildlife Site and works required</b>	<b>Financial implication</b>	Failure to deliver a key part of the authorities	

	Approach to achieving the vision	Specific Actions (where relevant these are shown against the part of the approach to which they contribute)	Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this	Financial Implications of Specific Actions	Implication of not carrying out action	Responsible/ Lead for specific task
	above but requires separate detailed consideration.	management to conserve and where possible enhance the site for the criteria for which they are designated CWS.	<p><b>Eye Green gravel pit:</b></p> <p>Maintain existing management by the Wildlife Trust on behalf on the City Council and maintain infrastructure as required.</p>	Maintain existing resource allocation.	biodiversity duty. Also failure to contribute to the achievement of the LAA target on those sites actually managed by the City Council.	Recreation Services/ Peterborough City Services
		<p><b>The Boardwalks:</b></p> <p>Maintain existing management and seek external funding for restoration and habitat creation works as well as works to paths and signage. In the longer term investigate a similar arrangement with the Wildlife Trust as at Eye Green.</p>	<p>Maintain existing resource allocation and seek funding for additional works. This will require the City Council to make available 10% match funding. It is estimated that up to £50,000 is required to bring this site properly up to Local Nature Reserve standard.</p> <p>An agreement with the wildlife trust could cost up to £4000 per year to manage the Boardwalks LNR. This</p>	Recreation Services/ Peterborough City Services		

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				may however be offset by the current cost of day to day management of the Boardwalks incurred by PCS.		
			<p><b>Debdale pond:</b> Maintain existing management.</p>	Maintain existing resource allocation.		Recreation Services/ Peterborough City Services
			<p><b>Broadway Cemetery:</b> Maintain existing management.</p>	Maintain existing resource allocation.		Bereavement Services/ Peterborough City Services
			<p><b>Eastfield Cemetery:</b> Wildlife Site status is currently incompatible with the ongoing burials at this site. Works with respect to the wildlife site are therefore not compatible with the sites primary function. It is therefore likely to be de-designated following a final resurvey.</p>	N/A		Bereavement Services/ Peterborough City Services



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			<p><b>City managed ancient woodland:</b></p> <ul style="list-style-type: none"> <li>○ Pocock's Wood.</li> <li>○ Grimeshaw Wood, Highlees Spinney, Spencer's Hurn &amp; Water Spinney:</li> </ul> <p>Carry out works as outlined in the tree and woodland teams ancient woodland report.</p>	<p>Maintain existing resource allocation and seek funding for additional works. Considerable additional funding will be required over the long term to achieve this. In the immediate future the City Council should seek Woodland Grant Scheme agreements to assist with the management of its ancient woodlands as well as pursuing additional external funding for habitat restoration works. Initially this might realistically be sought in the region of £50,000 and would require the City Council to make available 10% match funding. It should however be expected that funding additional</p>		<p>Tree and Woodland Team/ Peterborough City Services</p>

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				to this would subsequently need to be sought.		
			<p><b>Holywell Fish Ponds:</b></p> <p>Maintain existing management.</p>	Maintain existing resource allocation.		Recreation Services/ Peterborough City Services
			<p><b>PCC managed County Wildlife Site Road Verges</b> (Protected Road Verges):</p> <ul style="list-style-type: none"> <li>○ Southey Lodge verge</li> <li>○ Stamford Rd./Heath Rd./Ailsworth Rd./King St. verges</li> <li>○ Barnack road verges</li> <li>○ Bedford Purlieus-Wittering road verge</li> </ul> <p>Maintain existing management of a cut at the end of the growing season (late September depending on weather conditions) and removal of cuttings.</p>	Maintain existing management and associated resource allocation.		Highways/ Peterborough City Services

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			<p>Make an additional cut at the start of the growing season to reduce standing grass growth (arisings need not be removed on this initial cut).</p>	<p>Additional cut is estimated to cost £650 PA.</p>		<p>Highways/ Peterborough City Services</p>
			<p>Onsite signing of CWS road verges to assist PCC staff, contractors and utilities companies.</p>	<p>Estimated to cost £2500.</p>		
			<p>In recognition of its forthcoming designation as a County Wildlife Site to add 1400 metres of verge at the south end of Highfield Road (700m of road length) to the County Wildlife Site management specification for road verges. For this 1400m of verge this would include the proposed additional cut at the beginning of each year, cutting and removal of cuttings at the end of the year and appropriate signage.</p>	<p>Cost of annual maintenance: £521  Signage of new County Wildlife Site: £170</p>		<p>Highways/ Peterborough City Services</p>

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6	Take action to deal with invasive non native species where these are present on sites of wildlife importance; or where they are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.	<p>Employ best practice procedures to deal with invasive non native species on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.</p> <p>Otherwise the occurrence of invasive non native weed species should be reported by PCC officers where this is observed as a result of carrying out their normal duties.</p>	<p><b>Invasive species</b> which are problematic in the Peterborough area and on sites managed by the authority include:</p> <p>Japanese Knotweed Giant Hogweed Orange Balsam</p> <p>The authority should also be on its guard against other problem species such as:</p> <p>Himalayan Balsam New Zealand pygmyweed Parrots feather</p> <p>Training in the recognition of these species should be organised for non specialist employees/contractors as required.</p>	<p>The Boardwalks LNR is the only known site to which this policy would currently be applicable with the presence of orange balsam and Japanese knotweed.</p> <p>Efforts to control orange balsam at the Boardwalks LNR are currently being achieved within existing resources through works undertaken by the Peterborough Conservation Volunteers on behalf on the City Council. Resourcing of these efforts will need to continue.</p>	These are not species that the City Council as a responsible land manager should tolerate, particularly on an LNR. Unless Japanese knotweed is treated it will spread within the site and cost more to deal with in the future treat.	All

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				The treatment of Japanese knotweed might be included in a bid for external funding. However the cost of treating is estimated to cost £600 for the approx 600 sq metres present at the Boardwalks LNR and may need to be dealt with separately to an external funding bid. This estimate is based upon a case study from Swansea where this species has been particularly problematic.		Peterborough City Services
7	Ensure that biodiversity is protected and enhanced within the planning system within Peterborough and deliver the key principals for biodiversity set out in	Planning related departments of the City Council to continue to work with internal advisers, conservation bodies and local groups with respect to the production o a Local	<b>Planning</b> Training as outlined in respect of specific action 1 in this table is also relevant in this respect.	Currently being achieved through existing resources.  This includes keeping the key environmental characteristics of the Authority area under review in order to be	Failure to comply with the authorities legal duty with respect to Biodiversity as well as national, regional and local planning policy and legislation.	Planning

	<p><b>Approach to achieving the vision</b></p>	<p><b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)</p>	<p><b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b></p>	<p><b>Financial Implications of Specific Actions</b></p>	<p><b>Implication of not carrying out action</b></p>	<p><b>Responsible/ Lead for specific task</b></p>
	<p>national planning guidance.</p>	<p>Development Framework and also specific development proposals.</p>		<p>able to progress a Local Development Framework and also contribute to an annual monitoring report on the Local Development Framework. The monitoring of barn owls to the East of Peterborough has proved important in this respect (cost £2395 PA) and in the authorities ability to consider major road and wind farm applications.</p> <p>County wildlife site monitoring as well as the working relationship with the Biological Records Centre also have a key role in the ability of the authority to comply with these requirements.</p>		

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8	Increase and diversify wildlife interest in all green places and open spaces; and provide access to sites of wildlife interest for all sections of the community, including the disabled and disadvantaged. Also to promote accessibility to wildlife by creating these new habitats in public areas and encourage their creation in private areas such as, schools, factories, offices.	In the short-term reasonably significant areas should be identified for trailing new approaches to landscape management.	<p><b>Green Spaces</b></p> <p>The area chosen should be large enough to contain a variety of types of landscape (e.g., parks, playing fields, kick about areas, open space in housing areas, etc). The trial should involve consultation with local residents and relevant departments within the City Council in planning the management of such areas, and offer a range of different options for particular sites within the trial area and the habitats they possess.</p> <p>Where appropriate this could be through the use of set conservation management specifications or where it would be beneficial the production of management plans for these spaces such as already demonstrated for Central Park. The possibility of reduction in management</p>	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All

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			costs should be acknowledged as a possibility via this change in management. The possibility of the creation of new purpose designed sites and habitats for wildlife and people should not be ruled out nor should the potential role of the PCC Agricultural Estate.			
<b>9</b>		Biodiversity should be incorporated into all landscape management contracts.	<b>Landscape contracts</b> The Best Value review of Contract Services considered the Biodiversity impact of all activities carried out, including grass cutting regimes, weed control and pesticide use.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All
<b>10</b>		Production of management plans for open spaces as has been done for Central Park. In the context of the above, where appropriate	<b>Greenspace Management plans</b> In consultation with relevant departments within the City Council and local residents and user groups. It should be recognised that works that	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All



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		incorporate differential grass cutting regimes in parks, verges and large open spaces.	are required on the grounds of Health and Safety take precedence over the needs of wildlife.  This could however form part of the approach to PCCs creation of links within the habitat network discussed in line three above.			
11		<p><b>Hedges and Shrubs</b></p> <p>The loss of hedges and shrubs will be resisted unless there are sound horticultural or other reasons to indicate otherwise e.g. disease, structural damage or the shrubs are due for replacement.</p>				All
		Where it is appropriate consideration will be made for the gradual replacement of non-	For example where suitable native species can be selected to provide a similar landscape function.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.		All

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		native species with native species.				
12		Give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.	<p><b>Community Projects</b></p> <p>The principle of leasing of certain areas to some bodies (e.g., Eye Green Local Nature Reserve to the Wildlife Trust) has been established but could be expanded to include leasing some open spaces to residents associations and Parish Councils with some delegated budgets for management. Further work with bodies such as Natural England and Wildlife Trust would be needed to develop and encourage these schemes. Support for small-scale community wildlife schemes is also provided through the Natural Environment project grant scheme (sometimes known locally as parish Environment grants).</p>	<p>Currently being achieved through existing resources under the 2004 Biodiversity Strategy.</p> <p>Current resourcing of PCC Natural Environment Grant Scheme is £3500 PA.</p> <p>Support to a project such as Access to Nature is likely to cost approximately £3000</p>	Threat to delivery of an important part of the already existing Biodiversity Strategy.	All

	<b>Approach to achieving the vision</b>	<b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)	<b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b>	<b>Financial Implications of Specific Actions</b>	<b>Implication of not carrying out action</b>	<b>Responsible/ Lead for specific task</b>
			PCC support of projects such as Nature in Your Neighbourhood and any successor projects such as Access to Nature would be relevant in this respect.	PA and could be accommodated within existing resources.		
<b>13</b>		Recognise the role of allotments and cemeteries in promoting Biodiversity.	<p><b>Allotments and Cemeteries</b></p> <p>For example:</p> <p>Opportunities should be taken where there is local support for the utilisation of disused allotments and closed cemeteries for promoting wildlife habitats.</p> <p>Allotments and cemeteries that are in use have a part to play with respect to Biodiversity. This is not intended to be in conflict with their operating requirements.</p> <p>Initiatives such as biodiversity guidance for allotment holders should continue.</p>	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	Peterborough City Services and Bereavement Services
<b>14</b>	Promote wider understanding and	Support initiatives to encourage wildlife	<b>Community Engagement</b>	Currently being achieved through	Threat to delivery of an important part of	All

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	enjoyment of Peterborough's wildlife through formal and informal education and interpretation, and events such as Peterborough's annual Green Festival.	friendly gardening, recognising the increasing amount of land devoted to this usage.	For example via Peterborough in Bloom.	existing resources under the 2004 Biodiversity Strategy.	the already existing Biodiversity Strategy.	
<b>15</b>	Also promote active interest and involvement in wildlife issues at the local, national and international levels by all sections of the community at home, in the workplace, as a leisure activity and as part of the local economy.	With partners investigate the re-instatement a Peterborough Wildlife Group or Wildlife forum.	<b>Support of Wildlife/Voluntary Groups</b>  At a recent urban wildlife meeting with local wildlife groups; support was voiced for the possibility of bringing back the Urban Wildlife Group for Peterborough.  Also see action above under broad approach 8 to give explicit support for small-scale community wildlife schemes, including encouraging community management of existing landscaping where requested and appropriate.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	Natural Environment Team/All
<b>16</b>	Assist local voluntary wildlife groups in their aims of protecting wildlife and promoting interest in conservation.			Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Threat to delivery of an important part of the already existing Biodiversity Strategy.	All

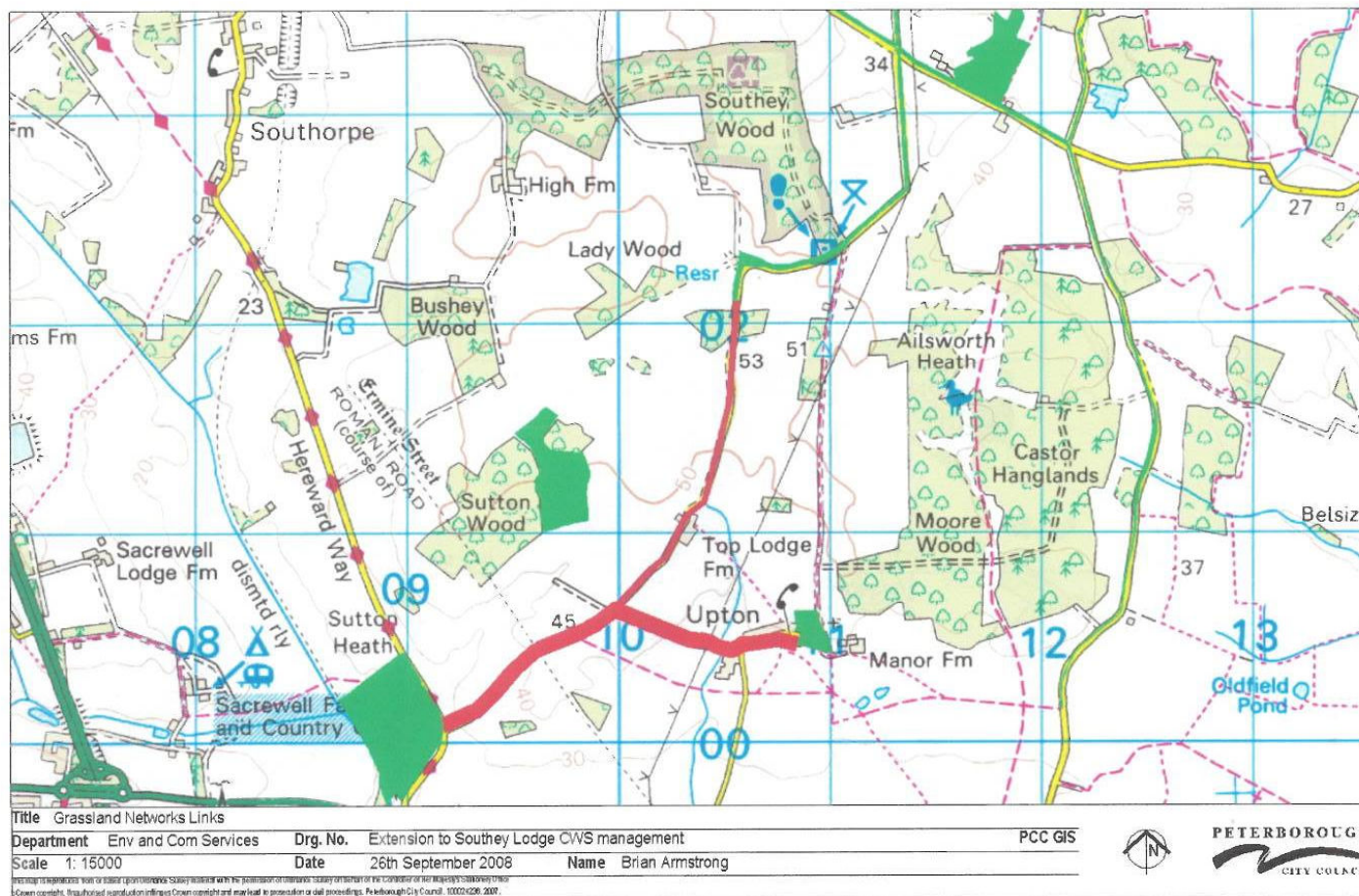
	<b>Approach to achieving the vision</b>	<b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)	<b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b>	<b>Financial Implications of Specific Actions</b>	<b>Implication of not carrying out action</b>	<b>Responsible/ Lead for specific task</b>
17	<p>Contribute to the achievement of the Biodiversity Action Plan Targets relevant to the authorities functions and area (please see appendix C).</p> <p>To continue to support the Cambridgeshire and Peterborough Biodiversity Partnership.</p>	Establish measurable annual targets for the creation of new areas of wildlife interest.	<p><b>Biodiversity Action Plan Targets/Partnership</b> Including tree/shrub planting and woodland creation – both through the City Councils own land management and its role as a planning authority.</p> <p>The Natural Networks partnership is investigating how the targets from the Green Grid Strategy, Cambridgeshire and Peterborough Biodiversity Action Plan and Peterborough Environment Audit can be brought together as one set of targets for Peterborough. If this were achieved it may be possible to further extract a set of targets for the City Council.</p>	Currently being achieved through existing resources under the PCC 2004 Biodiversity Strategy. (£3000 PA contribution to the Biodiversity Partnership).	Threat to delivery of a key part of the already existing Biodiversity Strategy.	All
18	Ensure that up to date biodiversity data is available and used appropriately to support this approach.	Continue to support the Biological Records Centre for Cambridgeshire and Peterborough.	A <b>Biological Records Centre</b> is essential to enable effective and efficient management of biological and ecological data about Peterborough, but would be	Currently being achieved through existing resources (£6780 PA) under the 2004 Biodiversity Strategy.	Critical to support the delivery of the biodiversity strategy and compliance with biodiversity duty as well as	Natural Environment Team/Planning and Planning Policy

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			financially unsustainable if developed just for the Peterborough area. This data is a pre-requisite to the planning, implementation and monitoring of Biodiversity gain, as well as the achievement of more sustainable patterns of development. Effective management of biological data is also essential to the monitoring of the success or otherwise of the targets set out in the Cambridgeshire and Peterborough Biodiversity Action Plan.		planning related elements of the City Councils functions.	
<b>19</b>	Contributes to the vision and approach overall.	Give particular emphasis to the protection of ancient and semi-natural habitats through all the City Council's activities.	<b>Ancient Habitats</b> For example ancient woodland and veteran trees.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Critical to achieving significant elements of the biodiversity strategy and compliance with biodiversity duty.	All
<b>20</b>	Contributes to the delivery of the vision, approach and specific targets overall.	Investigate and exploit external funding opportunities for creating and enhancing the	<b>External Funding</b> While much can be achieved by the City Council, this should be viewed as essential to achieving many	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Critical to achieving significant elements of the biodiversity strategy.	All

	<b>Approach to achieving the vision</b>	<b>Specific Actions</b> (where relevant these are shown against the part of the approach to which they contribute)	<b>Consideration of Relevant points from Method of delivery and Specific Actions required to achieve this</b>	<b>Financial Implications of Specific Actions</b>	<b>Implication of not carrying out action</b>	<b>Responsible/ Lead for specific task</b>
		Biodiversity value of City Council managed land. For example from Forestry Commission, Natural England, landfill tax or aggregates levy.	of the above actions listed above and in particular those listed under.			
<b>21</b>	Contributes to the vision and approach overall.	Continue to review the use of pesticides (including fungicides and herbicides) in the City Council's land management.	<b>Pesticides</b>  Such that their use is consistent, minimised and very carefully targeted in line with COSHH regulations requirements.	Currently being achieved through existing resources under the 2004 Biodiversity Strategy.	Failure to comply with legal COSHH requirements.	All

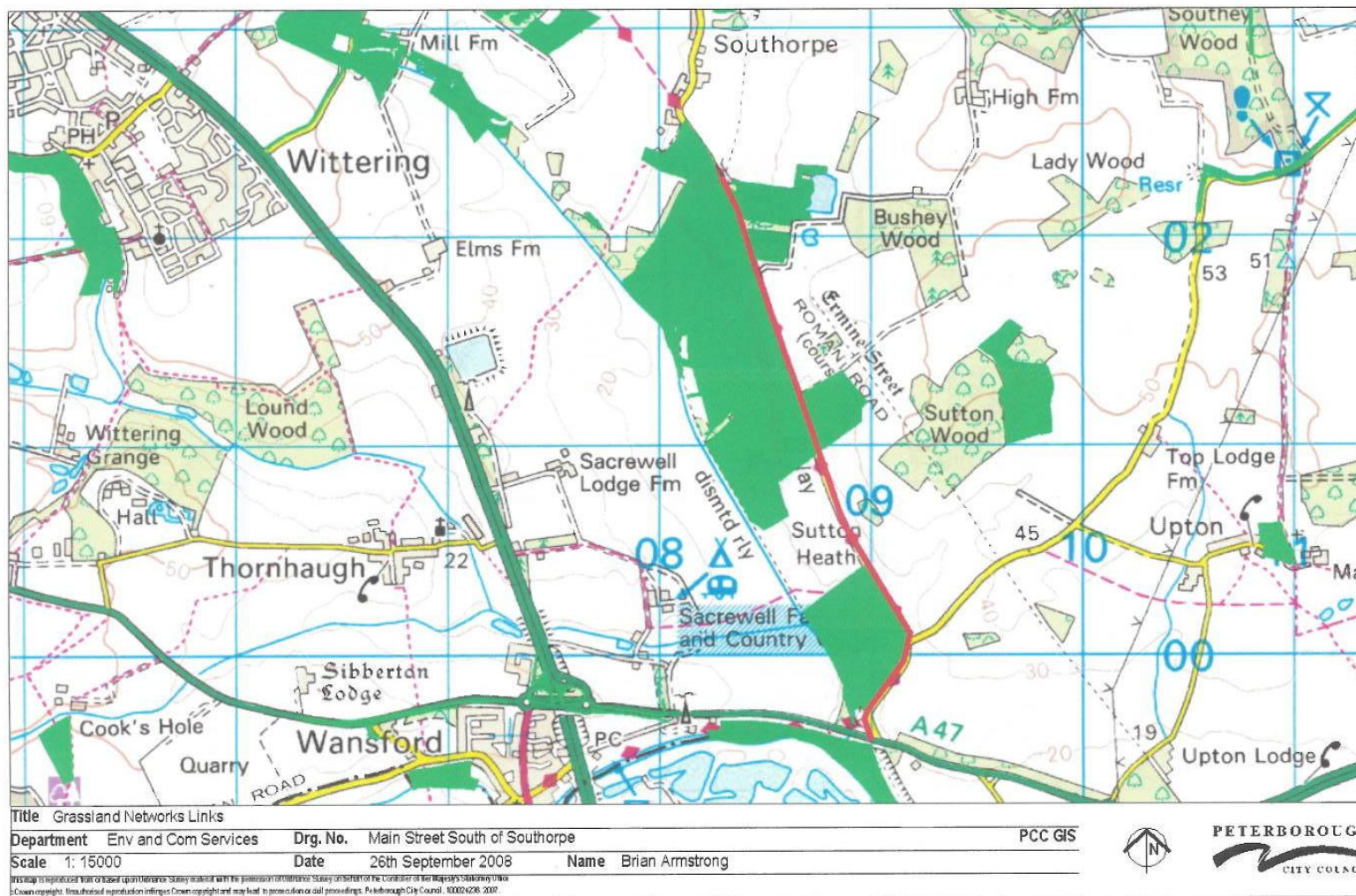
3. Drawings to illustrate lines 2 and 5 of the above table

Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)



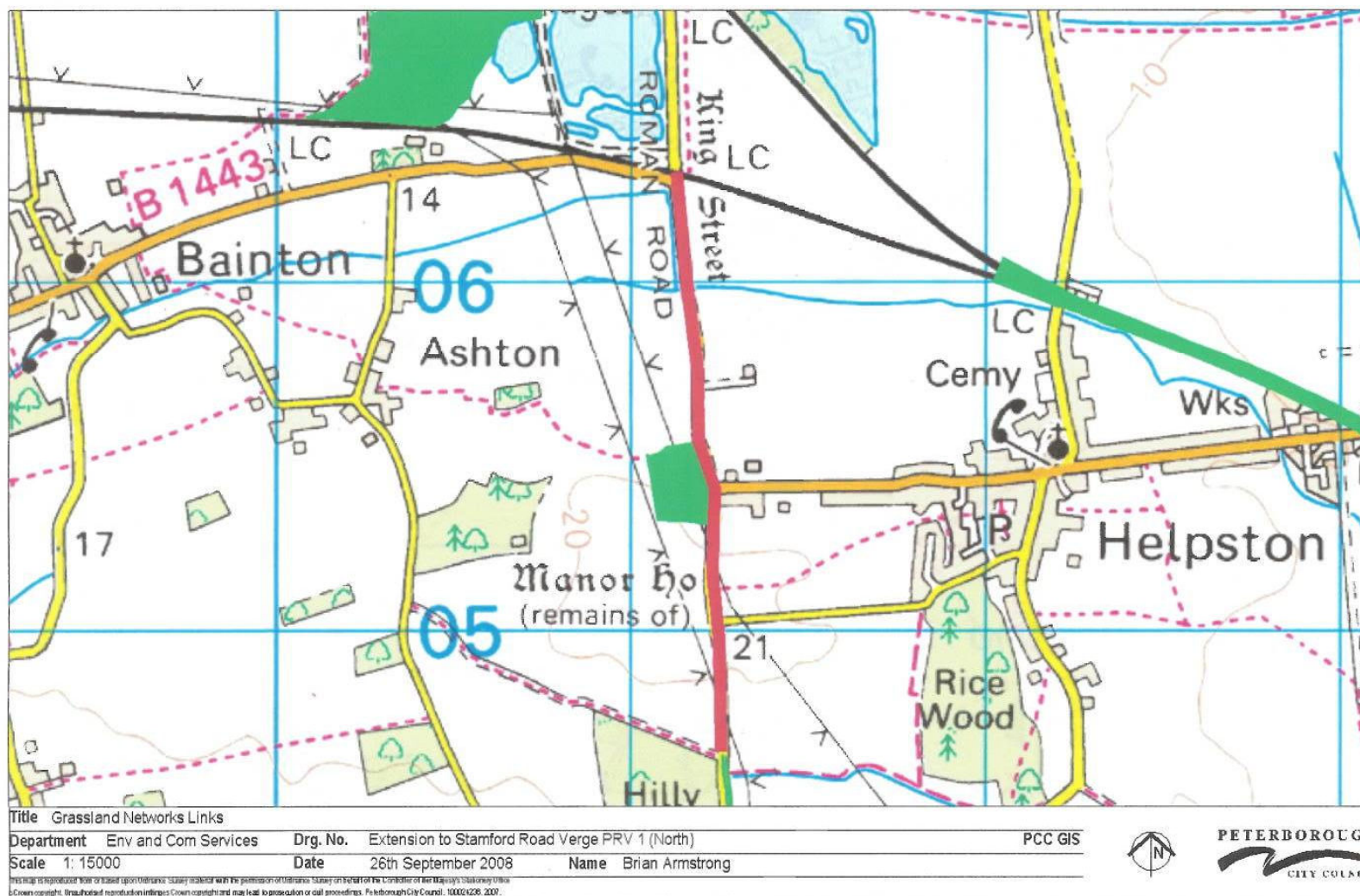


Diagrams to show potential extensions to CWS standard Road verge maintenance (red) to reflect designation of new CWS and create habitat linkages between existing sites (green)

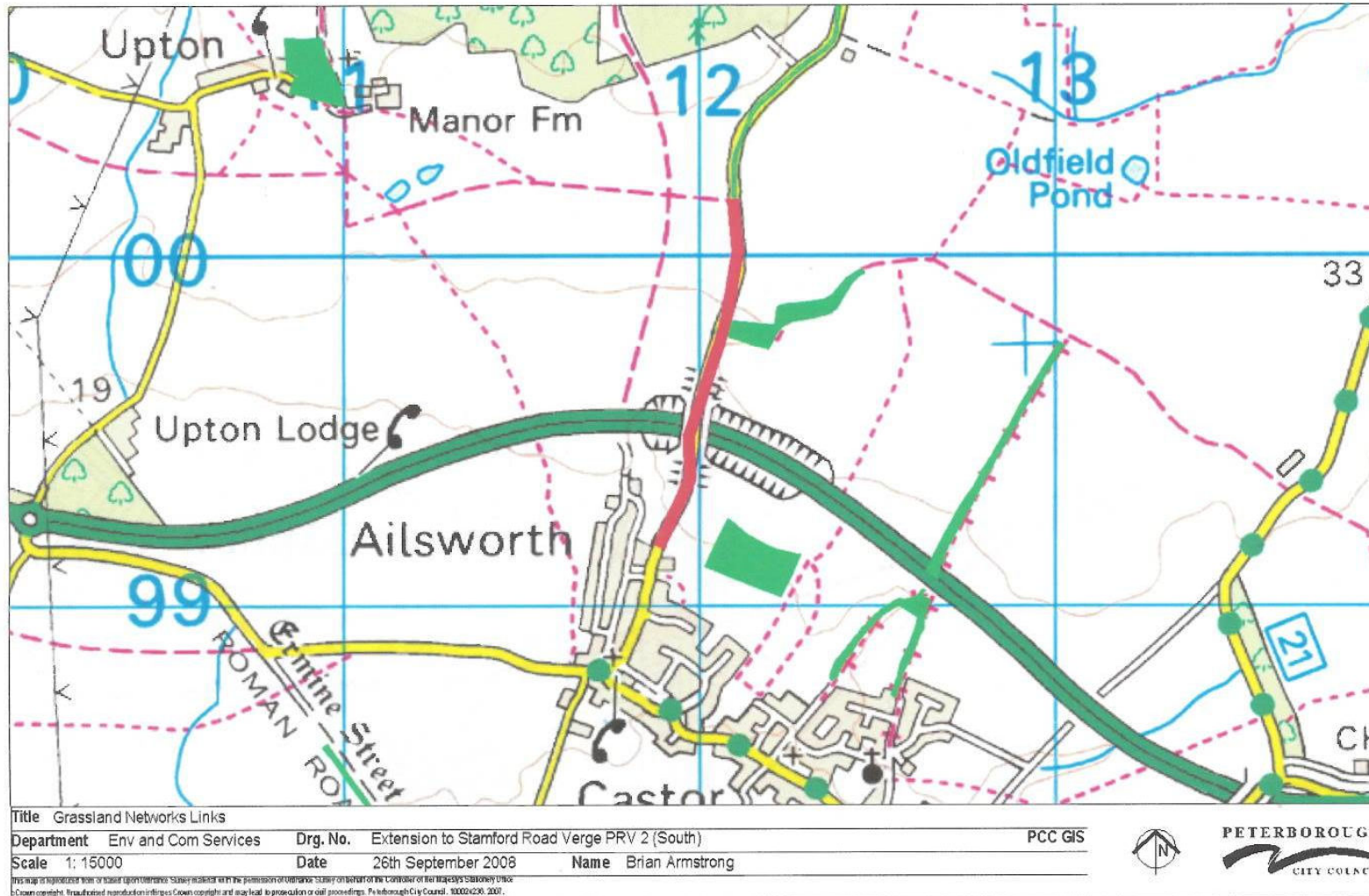


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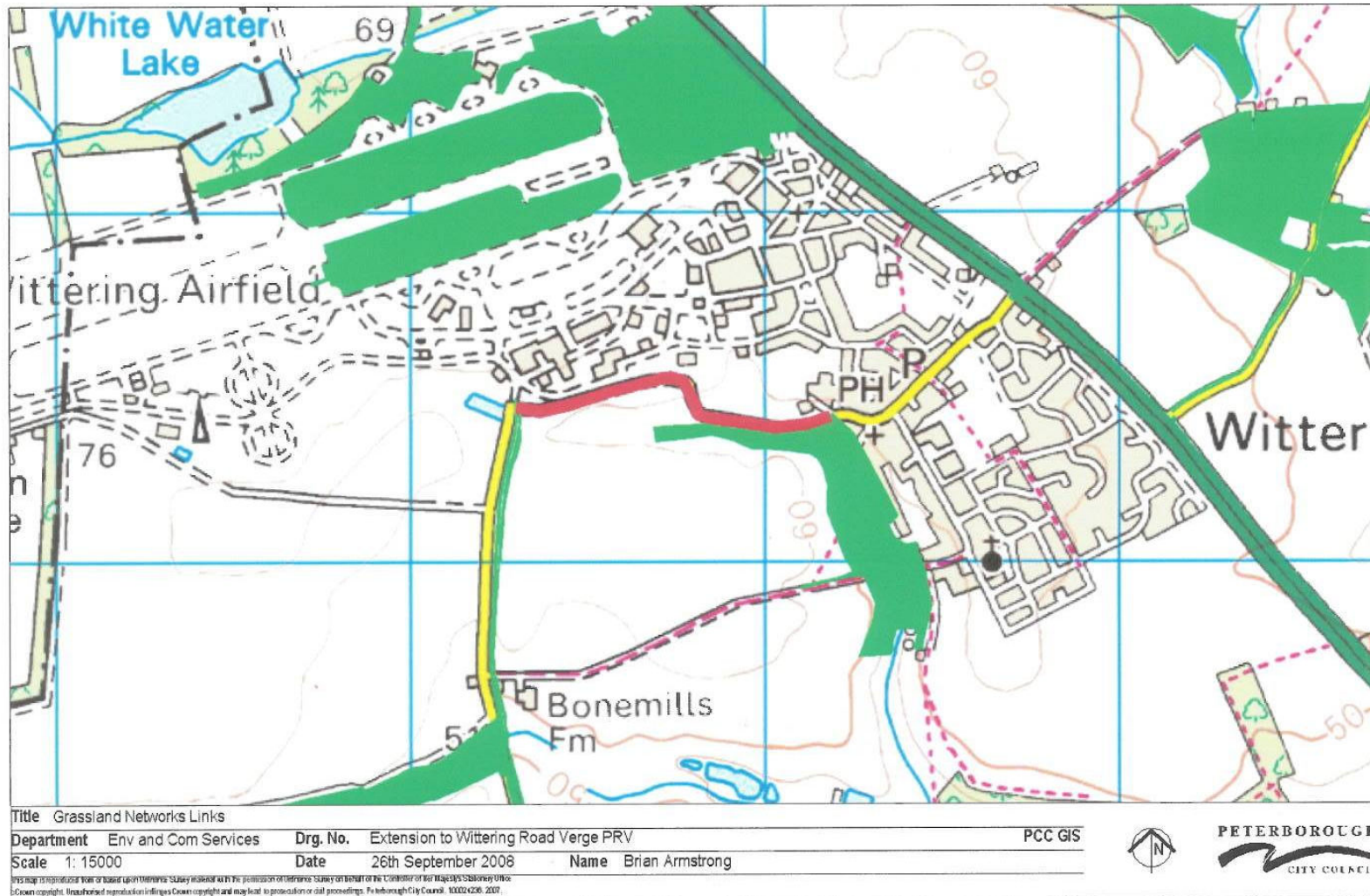
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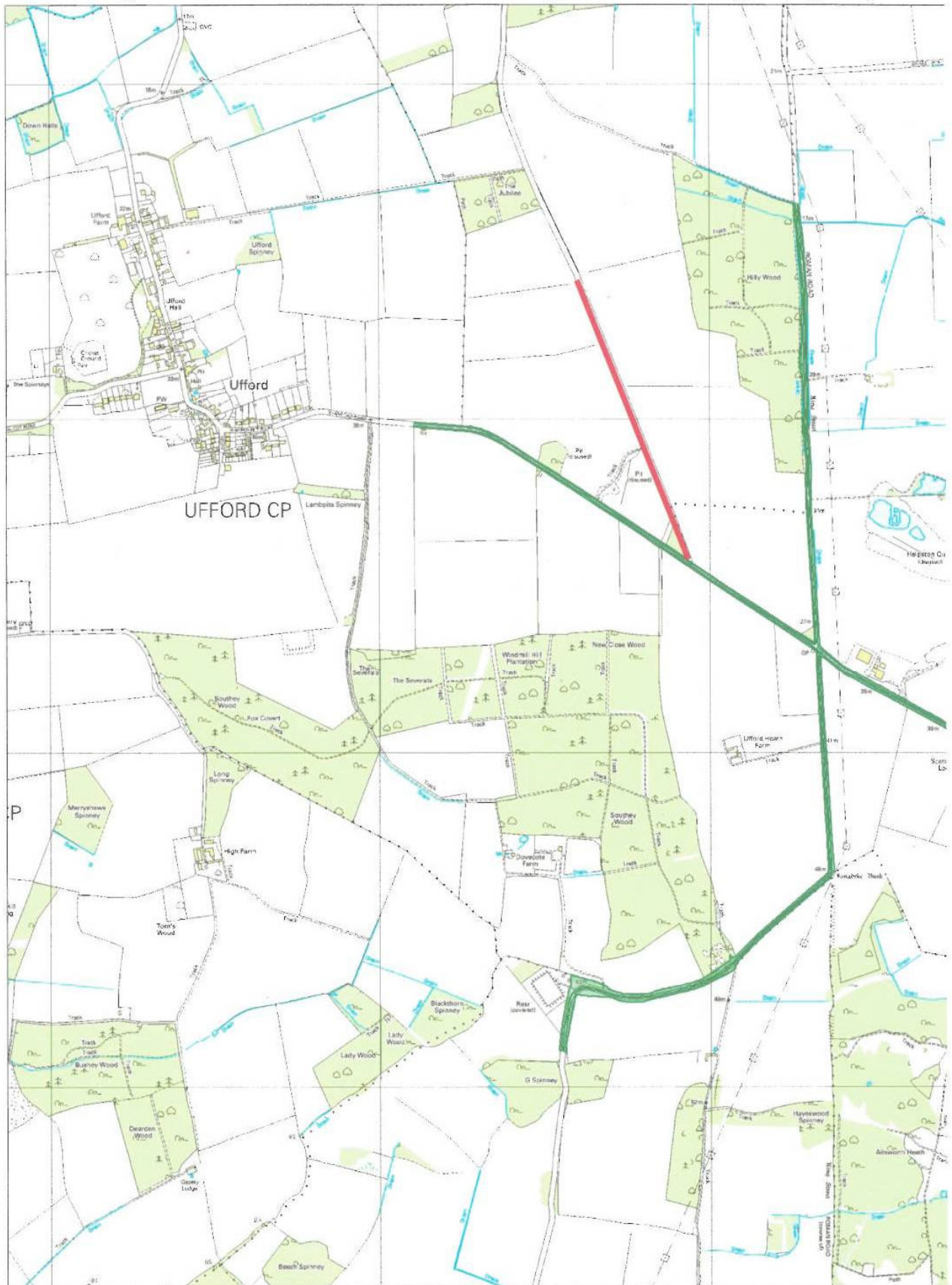
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Title Ufford CWS verges

Department Natural Environment

Drg. No.

PCC GIS

Scale 1:15,000 at A4

Date 12th August 2009

Name Brian Armstrong



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## **Peterborough City Council Guideline with respect to Tree works and cutting of Shrubs Hedges in the Bird nesting season (1<sup>st</sup> March - 31<sup>st</sup> August).**

### **1.0 Introduction**

#### **1.1 Summary**

Concerns were raised in the past from the public and Councillors regarding the cutting of council hedges, trees and shrubs during the summer months and the possible effects that this may have on nesting birds. In response to this much management of these features has stopped during the bird nesting season, however this has probably gone beyond what is required to comply with the legal requirements with respect to nesting birds. Most recently the perceived under management of shrubs, hedges and trees in the bird nesting season has led to concerns from the public with respect to visibility, security and visual amenity issues and some pressure being brought to bear to remove some of these features altogether.

It is recognised that bird populations in urban areas are declining due to number of factors and causes. Therefore the Council should be aiming to support nesting birds and play its part to help reduce this decline. To do this it is important that hedges, shrubs and trees are retained so that nesting and feeding habitat is available. However to do this the City Council has to be able to manage these assets professionally and within the law.

This guideline has been produced to give a clear line with respect to what works could reasonably be undertaken during the bird nesting season and what approach should be taken to ensure that reasonable steps have been taken to comply with legal and basic good practice requirements with respect to nesting birds. Beyond this it is necessary to try to strike a balance between ideal management and other competing requirements such as appearance and visibility. For example while it would be ideal for wildlife for hedges to be left uncut until they had borne fruit this is often incompatible with other user pressures such as the use of cycle paths.

It is appropriate that a specific approach is developed for the management of the City Councils hedges shrubs and trees, as the adherence to general best practice would often not be relevant to the specific urban situations the City Council finds itself operating within. The approach outlined in this document aims to outline a specific best practice approach for nesting birds which is applicable to Peterborough City Councils area and management operations. This approach acknowledges the urban bias and competing pressures upon many of these management operations and seeks to give an appropriate and reasonable approach for works in the bird nesting season.

This document sets out the current situation, existing legislation and lists recommendations for the future to act as a Council Policy. If adopted this would be distilled into the single page/simplified guidance for the everyday use of PCC contractors and employees contained at the end of this Appendix.

## 1.2 Legal protection of birds

The main legislation relating to nesting birds is the Wildlife & Countryside Act of 1981. This Act protects all birds from intentional killing and injury and also makes it an offence to intentionally damage or destroy the nest of a wild bird when it is in use or being built.

There is an additional protection within the act for birds which are specifically listed on schedule 1 of the act. It is an offence to intentionally or recklessly disturb a schedule 1 bird while it is building a nest or is in, on or near a nest containing eggs or young. It is also an offence to disturb the dependant young of a schedule 1 bird. Recklessness is often defined as taking a deliberate unacceptable risk or failing to notice or consider an obvious risk.

The Wildlife and Countryside Act (4(2)c) however makes it clear that an offence shall not have been committed if the action was the incidental result of a lawful operation and could not reasonably be avoided. This protocol aims to lay out procedures which adhere to this principle.

## 1.3 The legal protection of birds in the context of the management of the City Councils Trees, hedges and shrubs

There are four species listed on schedule 1 which it is not beyond the realms of possibility could be found within the City Councils woodland/treebelts. These are:

- Barn Owl
- Goshawk
- Red Kite
- Hobby

These species are not however reasonably likely to be found in street trees. Other schedule 1 species such as kingfisher and marsh harrier are present in the Peterborough area but simply won't be found in the Councils trees and none of the species listed on this schedule are assessed as likely to be found in the Councils hedges or shrubs. Therefore schedule 1 species are only dealt with in connection with tree works.

Therefore in practice to comply with this legal requirement the City Council should aim to:

- **For hedges and shrubs:** avoid killing and injury of all birds and the damaging or destruction of their nests.
- **For trees:** avoid killing and injury of all birds and the damaging or destruction of their nests. In addition for non street trees to avoid the disturbance or undertaking works which risk the disturbance of adult schedule 1 birds at their nests or their young.

However in either case work required to preserve health and safety is not legally restricted even if nesting birds (including schedule 1 birds) are present. In such cases, while every care should be taken to avoid and minimise harm, any killing and injury of birds and/or the damaging or destruction of nests would be an incidental result of a lawful operation which could not reasonably have been avoided and therefore exempt under section 4(2)C of the Wildlife and Countryside Act.



#### 1.4 Best practice and birds

Trees, hedges and shrubs are likely to contain nesting birds between 1 March and 31 August and should be assumed to do so unless either it can clearly be seen that nesting birds are not present or a survey has concluded that nesting birds are not present.

Nature Conservation best practice would recommend that as general good practice above and beyond lawful requirements that hedgerows should not be cut during the nesting season. The main nesting period is considered to be between the beginning of March and the end of July and occasionally running into August, although some species such as Barn Owl will commonly breed outside of this period. Common birds such as the blackbird, sparrow, thrush, robin, bullfinch and the spotted flycatcher amongst others often seek nesting sites in hedges and hedgerow trees.

The Royal Society for the Protection of Birds also recommends that 'ideally' hedge cutting should be left until the end of winter to leave any seeds, berries and the like on hedges as food for birds and wildlife.

#### 1.5 The Practicalities of compliance with best practice

Ideally the City Council would be able to work to best practice guidelines for both wildlife, horticulture and desire to achieve visual amenity and visibility. Unfortunately these do not always sufficiently overlap for this to be realistically achievable. For example in many cases when a hedge has been planted space has only been allowed for regular tight cutting and not for a full years growth to be put on. Changing this cutting regime to allow hedge growth to become longer can therefore inevitably give rise to conflict with neighbouring features such as footpaths.

This is particularly the case in the urban environment and for example wildlife guidelines on hedgerow cutting are often more applicable to the management of rural farmland hedges where the many conflicting urban pressures upon these resources are not an issue. For example if the management of urban hedges were to strictly follow best practice conservation guidelines this would equate to hedge cutting only during January February. This is likely to be impractical in relation to hedges within the existing Peterborough urban environment, for example for reasons of:

- Sound horticultural practice and visual amenity.
- Maintaining health and safety in relation to the use of footpaths and cycle paths, sight lines on roads or within play areas. (It is estimated that over 30% of the council's formal hedges adjoin roads, footpaths or cycleways). For road verges particular issues are highway junction visibility, forward visibility and sign and street light visibility.
- Maintaining visibility to assist with crime reduction and perception of public safety.
- Removing vegetation which has grown across windows blocking out light from homes and places of work.

Therefore while an initial consideration suggests it would be ideal from a wildlife perspective if all management were carried out in strict accordance with general conservation best practice guidelines; this is not the only factor which has relevance to the management of these features. If management were carried out in strict accordance with general wildlife best practice this would result in overwhelming pressure is likely to be brought to bear to remove a significant proportion of these

features from the urban environment. On balance this would be far more detrimental to the conservation of urban bird populations than the loss of food sources which would result from management strictly in accordance with general conservation guidelines.

It is therefore appropriate that a specific approach needs to be developed for the management of the City Councils hedges shrubs and trees, as adherence to general best practice is often not relevant to the specific urban situations the City Council finds itself operating within. The approach outlined in this document therefore aims to outline a specific best practice approach for nesting birds which is applicable to Peterborough City Councils area. This approach acknowledges the urban bias and competing pressures upon many of these management operations and seeks to give an appropriate and reasonable approach for works in the bird nesting season.

### **1.6 Practicalities of compliance with the proposed new guideline**

The following sections set out specific guidance with the aim of giving a clear approach with respect to how to observe the legal requirements and appropriate best practice specific to the maintenance of the City Councils Trees, Hedges and Shrubs. This must include sufficient detail for the approach to be clear to expert scrutiny by wildlife specialists and also robustly underpin a very simplified 1 page guidance note to be issued to contactors.

Where a hedge, shrub or tree has been left uncut due to the presence of nesting birds and a complaint or request is received then the enquirer should be made aware of this guideline and the requirements under UK Law with respect to birds and their nests as well as the City Councils desire to retain these features in the urban environment and comply with its duty with respect to biodiversity under the Natural Environment and Rural Communities Act to have regard to biodiversity (nature conservation) in carrying out its functions.

It is recommended that if adopted a copy of the simplified guidance note outlined at the end of this appendix should be issued to all operatives involved with hedge, shrub and tree works. Where appropriate this should be preceded by appropriate training in the use of the guidance note. It is intended that a copy could then be kept in contractors' vehicles in an easily accessible location to act as a ready form of reference when carrying out works or responding to a question from a member of the public.

## 2.0 Hedge and Shrub cutting during the Bird nesting season 1<sup>st</sup> March to 31<sup>st</sup> August

The guideline below covers hedge cutting during the bird nesting season. Prior to hedge and shrub cutting between 1<sup>st</sup> March and 31<sup>st</sup> August the assessment outlined below should be carried out.

Specially protected species under Schedule 1 of the Wildlife and Countryside act are not reasonably likely to be found in Hedges and Shrubs in the Peterborough Urban Area. Therefore for hedges and shrubs the legal requirement is to avoid killing and injury of all birds and the damaging or destruction of their nests. This is unless damage or destruction would be the incidental result of a lawful operation that could not reasonably be avoided, such as works required for reasons of preserving health and safety. This is the aim of the approach outlined in sections 2 and 3 of this protocol.

### 2.1 Cutting of Permanent hedge and shrub growth versus routine trimming

The permanent growth of a hedge or shrub is distinct from new growth which has been put on in that year/growing season and would be subject to annual cutting back. The removal of permanent growth might for example include removing a section of hedge to create an access or complete removal of shrubs in advance of replanting.

The permanent growth of a hedge or shrub is structurally much better for birds to be able to construct nests and therefore the chances of encountering nesting birds and having to avoid them is much increased. Therefore ideally works to the permanent growth of hedges and shrubs should be programmed to take place between 1st September - 28<sup>th</sup> February, outside of the bird nesting season. However where this is not possible works may still be able to proceed providing that the approach outlined below is employed.

### 2.2 Recommended approach

It is unlikely that nests will be damaged when undertaking routine trimming providing that these are carried out in a controlled way by skilled operators. Dependant on the circumstances one of three different approaches will be appropriate:

Circumstances	Approach
The material to be cut <b>can</b> be clearly seen to be clear of nesting birds by a simple assessment as outlined below in 2.4.	Work should proceed. The operator should however continue to observe for nests as they carry out trimming, but only if safe to do so bearing in mind the requirement for the safe use of the machinery and tools being used and stop if they identify one in the path of their cut. If this were to happen a record should be made (see section 4) and the simple assessment outlined in section 2.4 should be repeated. If this then identifies that a detailed assessment (section 2.5) is required this should be carried out.

	<p>If the presence of all possible nests has already been identified then the more detailed assessment can be missed out. The procedure outlined in the last two rows of the table should be employed.</p>
<p>The material to be cut <b>cannot</b> be clearly seen to be clear of nesting birds by a simple assessment as outlined below in 2.4.</p>	<p>The more detailed assessment set out in 2.5 should be carried out. If stages 1 and 2 of this detailed assessment both fail to identify any evidence that nesting birds are present then works may proceed with care. If works are required for reasons of health and safety only the second part of this procedure should be employed.</p> <p>The operator should however continue to observe for nests as they carry out trimming and stop if they identify one in the path of their cut. If this were to happen a record should be made (see section 4) and the detailed assessment should be repeated.</p> <p>If the presence of nesting birds is identified by the detailed assessment then the procedure outlined in the next two rows of this table should be employed.</p>
<p>Work is <b>not</b> required to maintain health and safety <b>and</b> nesting birds have been identified which would be affected by the works.</p>	<p>Works should either be delayed until after the bird nesting season or only that part of the works implemented which would not involve the destruction of nests (providing that this would not result in the creation of a dangerous feature).</p>
<p>Work <b>is</b> required to maintain health and safety.</p>	<p>The work <b>must</b> be carried out regardless of if nesting birds are present. Only the works to address the health and safety issue should be carried out. The operator should inspect the hedge/shrub in advance and make every effort to minimise damage to any nests where this is sensibly possible. A record should be kept of any nest encountered (see section 4).</p>

### 2.3 Method of cutting during the bird nesting season (1<sup>st</sup> March - 31<sup>st</sup> August)

To achieve any of the approaches above work needs to proceed in a carefully and accurately controlled way that allows the operator to continue to observe while cutting is underway. Therefore it is important that as works are carried out using a hand held hedge cutting tool such as a reciprocating petrol hedge trimmer. The use of a tractor mounted flail would be insufficiently accurate and prevent the operator from observing for nests as work progresses.

## **2.4 Simple assessment of if nesting birds are present**

This should be a relatively quick inspection on foot of the length of hedge/area of shrub to be cut and could be combined with the operators own initial inspection of the working area prior to commencing works:

- The operator should walk the length of hedge/around the shrub to be cut and determine if the material they intend to remove can clearly be seen to be free of nesting birds.
- Depending on the time of year/density of growth this may involve some stopping and possibly manoeuvring to achieve a view through denser vegetation.

The new spindly side and top growth on a hedge or shrub is particularly easy to assess in this way. However the dividing line between permanent growth and new growth on a hedge can make a good nesting site and particular care should be taken in this respect.

Areas of dense growth that cannot be seen to be clear of nests should either be left uncut or the next level of inspection should be used as outlined in 2.5 to try to establish if nesting birds are present.

## **2.5 Detailed assessment of if nesting birds are present**

Birds have to make many trips to and from a nest, first to build it and then to feed chicks when they have hatched. It is possible to use this to find nest sites/the area of likely nests. This will however be less effective in identifying nests where eggs are yet to hatch and activity is much less, therefore a second stage is also required.

A two staged more detailed assessment should be used to determine if nesting birds are present or absent. If works are required for reasons of health and safety only the second stage should be employed. The aim would then be to minimise impact to any nests when carrying out essential works which must be implemented.

### **Stage 1:**

- 15 minutes of observation of the section of hedge/shrub to be cut looking and listening for birds coming and going to a nesting site.
- If walls or fences are not in the way it is best to try to achieve an all round observation of a hedge or shrub to avoid the possibility that a bird might come and go from the opposite side unobserved.
- This might be done by two operatives observing one from each side. Or as a lesser option one operative could observe from one side for 15 minutes and then the other.
- Observations should be carried out by standing well back from the shrub/hedge being surveyed as birds are naturally less likely to break cover/return by that route that has a person standing right next to it.
- If a likely nest site is identified then works should avoid the area and any vegetation that cannot be seen to be clear on 2 metres either side for each nest.
- For those areas where no likely nest site has been identified then stage 2 of the detailed assessment should be carried out.

### **Stage 2:**

- If no birds are seen by standing back and observing then vegetation should be carefully parted and moved aside to make a careful physical inspection for bird nests. Birds that had been silent may give an alarm call if this gets close to them so the operative should be careful to listen as well as look when doing this. If a nest is identified the operative should withdraw.
- Providing that this does not identify a nest then work should proceed in a controlled way using a hand held hedge cutting tool such as a petrol hedge trimmer. The use of a tractor mounted flail would be insufficiently accurate and too difficult for the operator to observe.
- The operator should continue to observe for nests as they carry out works and stop if one is identified for example in the path of their cut. If this were to happen a note should be made (see section 4) and the detailed assessment should be repeated.
- If a nest site is identified then works should avoid the area and any vegetation that cannot be seen to be clear on 2 metres either side for each nest.

### **3.0 Tree works during the Bird nesting season 1<sup>st</sup> March to 31<sup>st</sup> August**

#### **3.1 Introduction**

The guideline below covers tree works during the bird nesting season. Prior to tree works in the period between 1<sup>st</sup> March and 31<sup>st</sup> August the assessment outlined below should be carried out.

Trees may contain features such as cavities and splits which provide ideal conditions for bats and some birds which are protected from disturbance as outlined in 1.2 and 4.6. This includes barn owl, red kite, goshawk and hobby. This is however not reasonably likely to be the case for street trees as they are not normally allowed to develop these features and are not situated in habitats which are attractive to these specially protected birds.

Therefore for City Council trees and woodland the legal requirement is to avoid killing and injury of all birds and the damaging or destruction of their nests. In addition for non street trees to avoid the disturbance or undertaking works which risk the disturbance of adult schedule 1 birds at their nests, or their young.

This is unless it can be demonstrated that this is the incidental result of a lawful operation that could not reasonably be avoided. Which is the aim of the approach outlined throughout this protocol.

#### **3.2 Application of the protocol for trees**

The guideline below covers the implementation of tree works to mature/established trees during the bird nesting season.

It is most appropriate for areas of dense cover of often younger tree planting or grown out hedge and shrub features to be approached using the guideline for cutting permanent growth of hedges and shrubs. This approach may also be applicable to edge coppicing work. A judgement will need to be made when programming edge coppice works with respect to if it will be most efficient for this to be programmed outside of the bird nesting season to avoid encountering bird nesting constraints which would otherwise be inevitable. Alternatively edge coppice work might be programmed for the early part of the bird nesting season when nesting birds are less likely to be encountered and the operator will find it easier to make an inspection and identify if nesting birds are present.

#### **3.3 Getting to the tree and carrying out the work**

The City Councils tree stock includes a wide variety of different situations from ancient woodland to street trees. In some situations there may be no vegetation under the tree, such as with many street trees. In others tree works may be a require to the removal of lower growing vegetation near a tree/trees to which works are planned. This might range from the under storey of woodland species found in more natural situations to more formal hedge and shrub type planting and may for example be required to:

- Create a safe access to the tree to carry out works.
- Create a safe working area in which to carry out works.

- Include the area in to which tree sections will be lowered.

Therefore while nesting birds may be absent from the tree itself they may be using vegetation at its base or which might otherwise be affected by the implementation of works. Therefore any hedge/shrub material which would need to be removed in order to carry out tree works should be treated in the same way for the routine and permanent cutting of these features above outlined in section 2.

### **3.4 Vegetation growing up a tree**

Trees may also have ivy or other climbers bridging the gap between the under storey and the tree itself. This will need a sensible approach depending on the situation on the ground. In some situations it may be approached in the same way as outlined for shrubs and hedges: for example if it only extends a limited way up a tree and/or the tree is yet to come properly into leaf and can easily be observed from the ground. In other situations such as where there is dense ivy growth right into the crown which cannot be well observed from the ground it may be best to treat it as part of the tree itself, or a combination of the two approaches.

Clearly a sensible approach will also need to be taken with respect to any physical inspection of vegetation growing up a tree as if the use of a ladder/climbing is required this will need to very much be considered along with the tree rather than any underlying shrubs.

### **3.5 The tree itself**

As trees are significantly different structures to hedges and shrubs and works often remove growth that has taken many years to accumulate a slightly different approach is required. This cannot sensibly differentiate between routine trimming and more in depth works. However some distinction can be made between street trees and woodland/tree belts and the probability of nesting birds generally and schedule 1 birds specifically being present.

Given the variety of tree types, situations and works which might be carried out a greater degree of judgement is needed to be exercised by the operator; however they will be a tree specialist/arborist so this is not inappropriate. Trees also are often much easier to assess than hedges and shrubs:

- The growth is often less dense and therefore easier to see into, this is particularly the case where the tree is not part of a woodland/tree belt, for example street trees.
- They often come into leaf later in the year and so can be more easily inspected much later into the nesting season.
- Because of the lower density of growth in a mature canopy the types of birds which favour hedges are replaced by other species such as crows which build larger more obvious nests.

Having said this trees may contain features such as cavities and splits which provide ideal conditions for bats and some birds which are protected from disturbance as outlined in 1.2 and 4.4. This includes barn owl, red kite, goshawk and hobby. This is however not reasonably likely to be the case for street trees as they are not normally allowed to develop these features and are not situated in habitats which are attractive to these specially protected birds. Where non street trees do have these features a special approach is required as outlined below.



### 3.6 Tree and woodland works in the bird nesting season: Schedule 1 (specially protected) birds

For tree works in the Peterborough area there are four species with special protection which it is in the realms of possibility might be encountered. These species are not however reasonably likely to be present in street trees.

This special protection extends to an offence of disturbing them on or near the nest. However no offence will have been committed provided that any disturbance or damage were the incidental result of a lawful operation that could not reasonably be avoided. An example of this type of work would be that which is required to maintain health and safety such as where a tree has become unstable or a limb is hanging off and to delay works would be unacceptable.

These four species and their nesting habits are outlined below.

Bird species	Nesting habits
Barn Owl	Will nest in trees if a suitable (large e.g. 100mm or more) cavity is present in a limb or trunk, barn owls may also nest much earlier and later than is generally the case therefore cavities in trees should be treated in this way at all times of year.
Red kite	Will nest on a main fork or a limb high in a tree typically 12-20m above the ground. The nest is constructed from dead twigs and lined with grass and sheep's wool. Prior to egg laying kites will decorate the nest with paper, rags, crisp packets, carrier bags, even clothing. New material is added to the nest throughout the breeding season, and a nest that has been in use for a number of seasons can grow to a considerable size. Old buzzard or crow nests can also be used by kites.
Hobby	Will nest in old crow's nests near the top of tall trees near farmland which provide a good vantage point. Isolated trees near farmland and wetland or tall trees within a small copse or woodland edge are likely to be used.
Goshawk	The Goshawk will tend to build its own nest close to the main trunk in the top third of a tree. It favours dense mature woodland and relies on radiating branches to construct its nest.

It is also worthy of note that the evidence outlined above only identifies a chance that a schedule 1 bird could be present rather than definite presence.

There is an offence of disturbing these nests or the birds if they are even near the nest, therefore even if a nest would not be removed by works an offence may still be committed by carrying out operations in the same tree or nearby. Therefore if the sorts of nests or cavities outlined above are identified then work should stop and further specialist advice sought, unless it would be unsafe to do so, or the works are required for reasons of maintaining health and safety.

For example if to delay works would endanger public health and safety then works must proceed. In such instances the works and any damage or disturbance would be classified as the incidental result of a lawful operation that could not reasonably be avoided and so would be covered by the defence provided by section 4(2) c of the Wildlife and Countryside Act.

However only the works required to address the health and safety issue should take place and the operator should inspect the tree in advance and make every effort to minimise damage to any nests where this is sensibly possible. A record should be kept of any nests encountered and how disturbance and damage was kept to a minimum (see section 4).

### 3.7 Tree works in the bird nesting season: recommended approach if there is no evidence that schedule 1 birds might be present

#### 3.7.1 Recommended approach

Where works are carried out in the bird nesting season the following approach has been designed with the aim of ensuring that reasonable measures have been taken to avoid damaging or destroying bird nests, unless there are overriding reasons such as health and safety which would be exempt.

Circumstances	Approach
<p>The tree and the material to be cut <b>can</b> be clearly seen to be clear of nesting birds by a simple assessment as outlined for routine works (see 3.7.3).</p>	<p>Work can proceed. The operator should however continue to observe for nests as they carry out works and if they identify a nest which would be impacted by their work stop <b>if safe to do so</b>. A record should be made and the simple assessment should be repeated and a more detailed assessment carried out if then identified as necessary.</p> <p>If the presence of all possible nests has already been identified then the more detailed assessment can be missed out. The procedure outlined in the last two rows of the table should be employed.</p>
<p>The tree and material to be cut <b>cannot</b> be clearly seen to be clear of nesting birds by a simple assessment as for routine works (see 3.7.3).</p>	<p>The more detailed assessment set out in section 3.7.4 should be carried out. If both stages 1 and 2 fail to identify any evidence that nesting birds are present then works may proceed. If works are required for reasons of health and safety only the second part of this procedure should be employed.</p> <p>The operator should however continue to observe for nests as they carry out works and if they identify a nest which would be impacted by their work stop <b>if safe to do so</b>. If this were to happen a record should be made and the detailed assessment should be repeated.</p> <p>If the presence of nesting birds is identified by the detailed assessment then the procedure outlined in the next two lines of this table should be employed.</p>
<p>Nesting birds have been identified which would be affected by the works. The work is <b>not</b> required to maintain health and safety.</p>	<p>Works should either be delayed until after the bird nesting season or only that part of the tree works implemented which would not involve the destruction of nests</p>

	(providing that this would not result in leaving the tree in a dangerous state).
Nesting birds have been identified which would be affected by the works. The work <b>is</b> required to maintain health and safety.	The work <b>must</b> be carried out regardless of if nesting birds are present. Only the work to address the health and safety issue should be carried out and the operator should inspect the tree in advance (as outlined in 3.7.3 and stage 2 of 3.7.4) and make every effort to minimise damage to any nests where this is sensibly possible. A record should be made of any nest encountered (see section 4) and how damage was kept to a minimum.

### 3.7.2 Health and safety of the operator

Following this guideline is designed to ensure that reasonable efforts have been carried out to ensure that nesting birds are not impacted by tree works and that where this is unavoidable, for example for reasons of maintaining health and safety, that any damage or disturbance would be the incidental result of a lawful operation that could not reasonably be avoided, and therefore covered by the defence given in the Wildlife and Countryside Act.

However in carrying out this assessment and subsequent works it is imperative that the operator does not do anything to compromise their own health and safety or that of others. Therefore if an operator is for example half way through cutting a limb and notices a nest they should only stop if it is safe to do so, and may indeed need to continue the cut to its completion. It must for example be acknowledged that:

- Once overall works to a tree have been commenced they will often need to be completed in order to avoid leaving a tree in a dangerous condition from work which is only partially complete.
- When a cut has been commenced to a specific tree limb it will have to be completed in order to avoid leaving it in a dangerous condition from work which is only partially complete.
- It would be the operator's paramount responsibility to ensure works are carried out in line with all health and safety guidelines of equipment use and to follow the correct policy and procedures in completing the task required

### 3.7.3 Simple assessment of if nesting birds are present

This should be a relatively quick inspection on foot from the ground and could be combined with the operators own initial inspection of the tree prior to commencing works:

- The operator should look at the tree from all sides and determine if it is clear of nests. Particular attention should be paid to:
  - The material they intend to remove and the part of the tree in which they will work, and if this can clearly be seen to be free of nesting birds.
  - The route the arborist will take into the tree.

- Any holes and cavities which might be present and which may be suitable for bird nesting or use by bats.
- Depending on the time of year/density of growth this may involve some stopping and possibly manoeuvring to achieve a view through denser vegetation, the use of binoculars may also be useful in this respect.

If it can clearly be seen that the working area is clear of nesting birds, works may proceed. The operator should however continue to observe for nests as they carry out works and if they identify a nest which would be impacted by their work stop **if safe to do so**. A record should be made and the simple assessment should be repeated. A more detailed assessment should be carried out if subsequently identified as necessary.

Areas of dense growth that cannot be seen to be clear of nests should either be left uncut or the next level of inspection should be used as outlined below to try to establish if nesting birds are present.

If features such as splits cracks or cavities are observed then specialist advice should be sought with respect to the likelihood of these being used as a bat roost.

#### **3.7.4 Detailed assessment of if nesting birds are present**

Birds have to make many trips to and from a nest, first to build it and then to feed chicks when they have hatched. It is possible to use this to find nest sites/the area of likely nests. This will however be less effective in identifying nests where eggs are yet to hatch and activity is much less, therefore a second stage is also required.

A two staged more detailed assessment should be used to determine if nesting birds are present or absent. If works are required for reasons of health and safety only the second stage should be employed:

##### **Stage 1:**

- 15 minutes of observation of the tree should be made looking and listening for birds coming and going to a nesting site. This might be targeted at the areas of the tree to which works are required or those parts of the tree which cannot be seen to be clear by a simple walk round assessment.
- If walls or fences are not in the way it is best to try to achieve an all round observation to avoid the possibility that a bird might come and go from the opposite side unobserved.
- This might be done by two operatives observing one from each side. Or as a lesser option one operative could observe from one side for 15 minutes and then the other.
- Observations should be carried out if possible by standing well back from the tree being surveyed as birds are naturally less likely to break cover/return by a route that has a person standing right next to it.
- If a likely nest site is identified then works should avoid the area and any vegetation that cannot be seen to be clear within 2 metres for each nest. It may be appropriate to consider at this point if the remainder of works can be achieved in a safe way and if these will leave the tree in an unstable state. Limbs containing nests should also not be removed, even if the cut would be made at more than 2 metres from the nest!
- For those areas where no likely nest site has as yet been identified then stage 2 of the detailed assessment should be carried out.

**Stage 2:**

- If no birds are seen by standing back and observing then a physical inspection can be made which might involve the use of ladders/climbing if appropriate. Vegetation should be carefully parted and moved aside to make a careful physical inspection for bird nests. Holes and cavities should be carefully inspected with the use of a torch. Birds that had been silent may give an alarm call if this gets close to them so the operative should be careful to listen as well as look when doing this. If a nest is identified the operative should withdraw.
- Providing that this further inspection does not identify a nest then work should proceed in a controlled way.
- If a nest is discovered in the course of the works the operator should stop if safe to do so. If this were to happen a note should be made as per section 4 and the detailed assessment repeated.

#### **4. Record keeping when nests are found**

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
- For non health and safety works the action taken when the nest was found should be recorded.

This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

#### **5. Specialist advice and Further Information**

Specialist advice can be sought from:

- Peterborough City Council Wildlife Officer: 01733 453400
- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on the bird species listed here can be obtained from the RSPB website: [www.rspb.org.uk](http://www.rspb.org.uk)

## 6.0 Conclusion

All birds and their nests are protected. There are four species which might be found in the within the City Councils woodland/treebelts which receive additional protection. These are:

- Barn Owl
- Goshawk
- Red Kite
- Hobby

These species are not however reasonably likely to be found in street trees. Other specially protected species such as kingfisher and marsh harrier are present in the Peterborough area but simply won't be found in the Councils trees. None of the species which receive special protection are likely to be found in the Councils hedges or shrubs.

Therefore in practice to comply with legal requirements with respect to nesting birds the City Council should aim to:

- **For hedges and shrubs:** avoid killing and injury of all birds and the damaging or destruction of their nests.
- **For trees:** avoid killing and injury of all birds and the damaging or destruction of their nests. In addition for non street trees to avoid the disturbance or undertaking works which risk the disturbance of adult schedule 1 birds at their nests or their young.

In both cases works required to preserve health and safety are not legally restricted even if nesting birds (including those which are specially protected) are present. In such cases, while every care should be taken to avoid and minimise harm, any killing and injury of birds and/or the damaging or destruction of nests would be an incidental result of a lawful operation which could not reasonably have been avoided and therefore exempt under section 4(2) C of the Wildlife and Countryside Act.

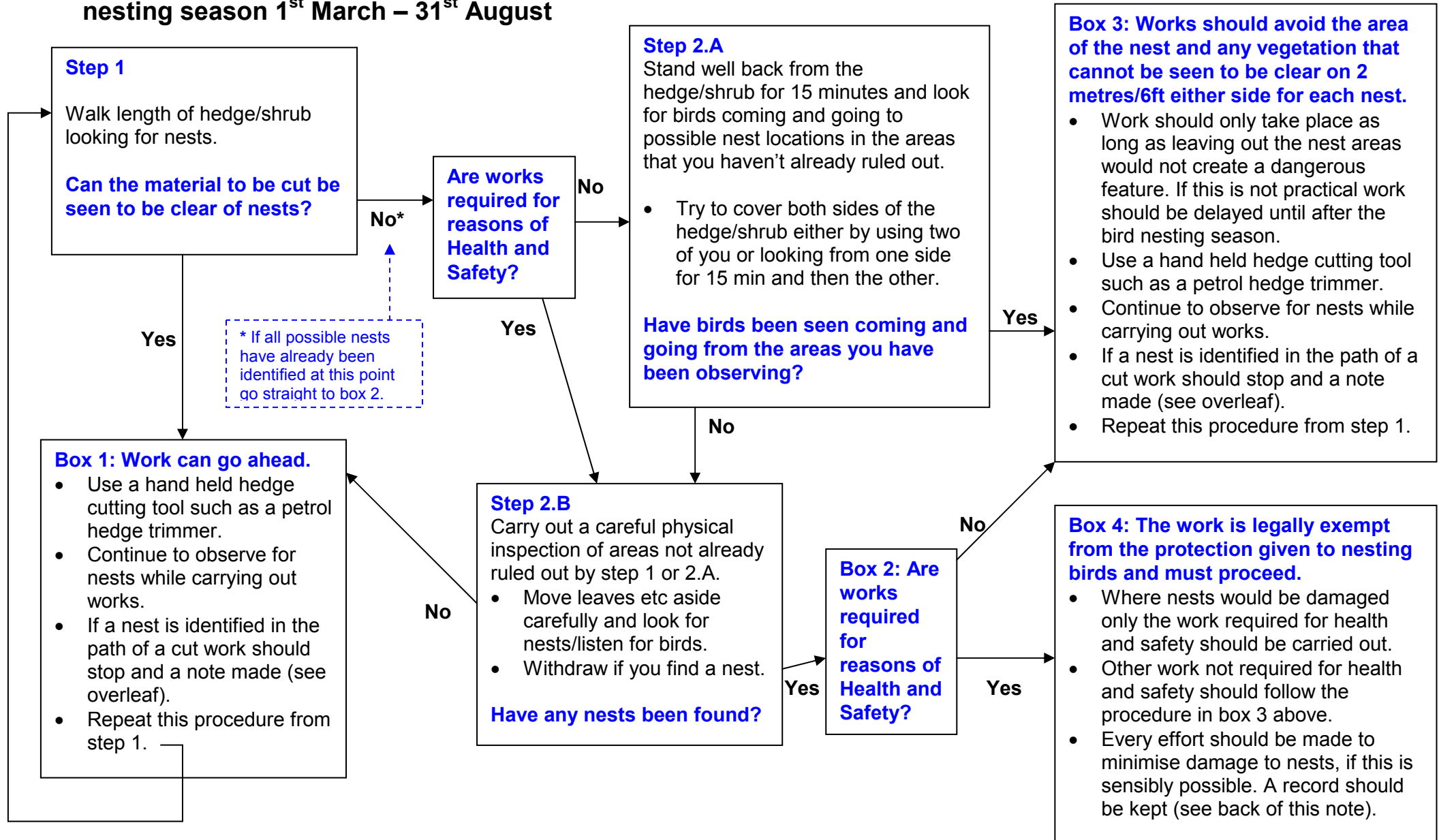
In practice this means that:

- If the tree, shrub or hedge can be seen to be clear of nesting birds then there is no restriction and works may proceed.
- If the tree, shrub or hedge cannot be seen to be clear of nesting birds then a more detailed assessment can be carried out, first by observing and then by physically looking for nests. If this concludes that no nests are present then work may proceed.
- If the presence of nests is identified and works are not required to maintain health and safety then works will need to be delayed until nesting activity has ceased.
- If the presence of nests is identified and works are required to maintain health and safety then the works must proceed. This is allowed for in the legislation that protects nesting birds.



### 7.1 Suggested Guidance for Issue to Officers and Contract Staff: Hedge and shrub cutting in the bird nesting season 1<sup>st</sup> March – 31<sup>st</sup> August

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## Record keeping when nests are found

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
- For non health and safety works the action taken when the nest was found should be recorded.

This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

## Specialist advice and Further Information

Specialist advice can be sought from:

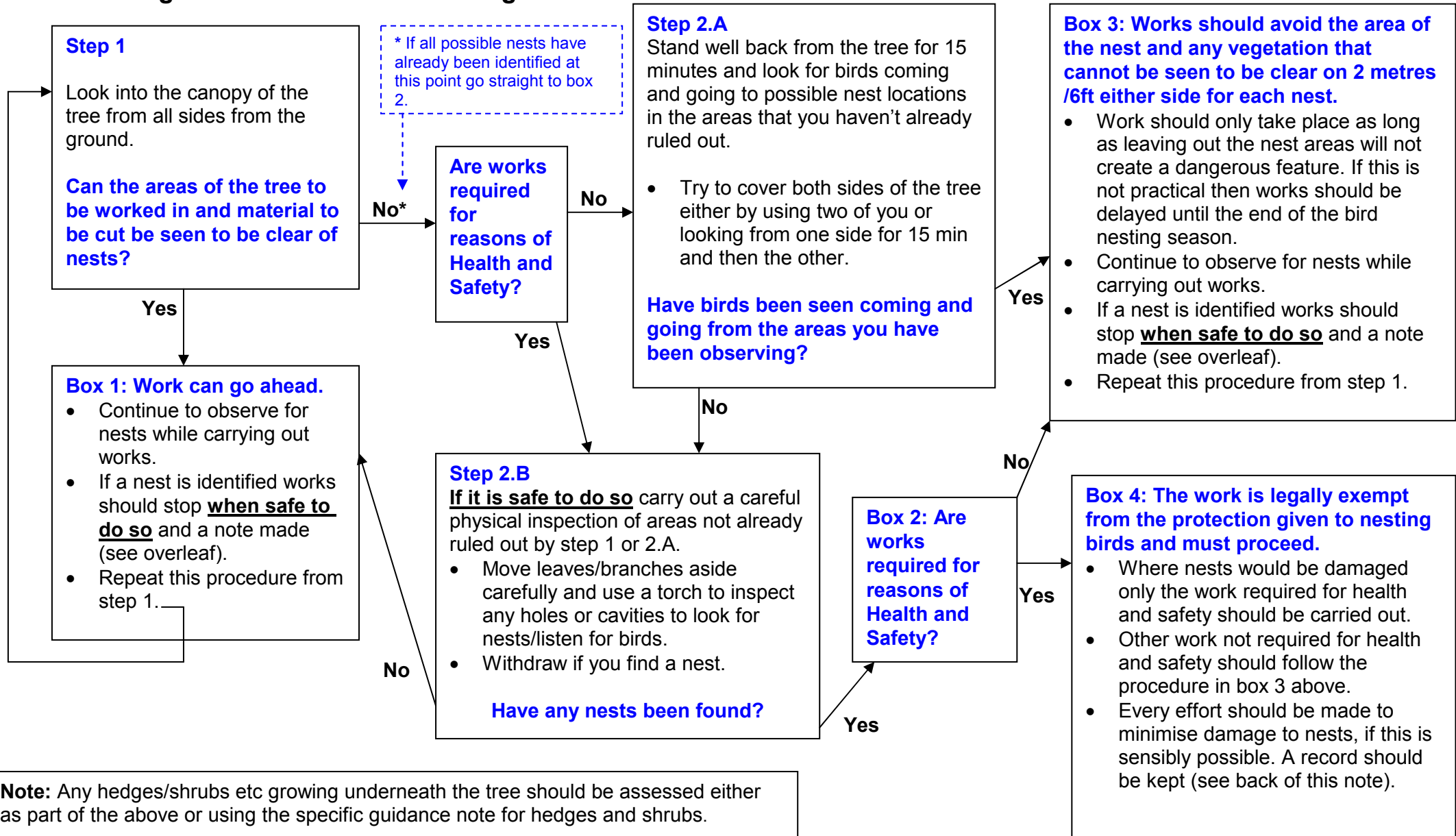
- Peterborough City Council Wildlife Officer: 01733 453400
- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on birds can be obtained from the RSPB website:

[www.rspb.org.uk](http://www.rspb.org.uk)

### 7.2 Suggested Guidance for Issue to Officers and Contract Staff: Works to Street Trees in the bird nesting season 1<sup>st</sup> March – 31<sup>st</sup> August

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## **Record keeping when nests are found**

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
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This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

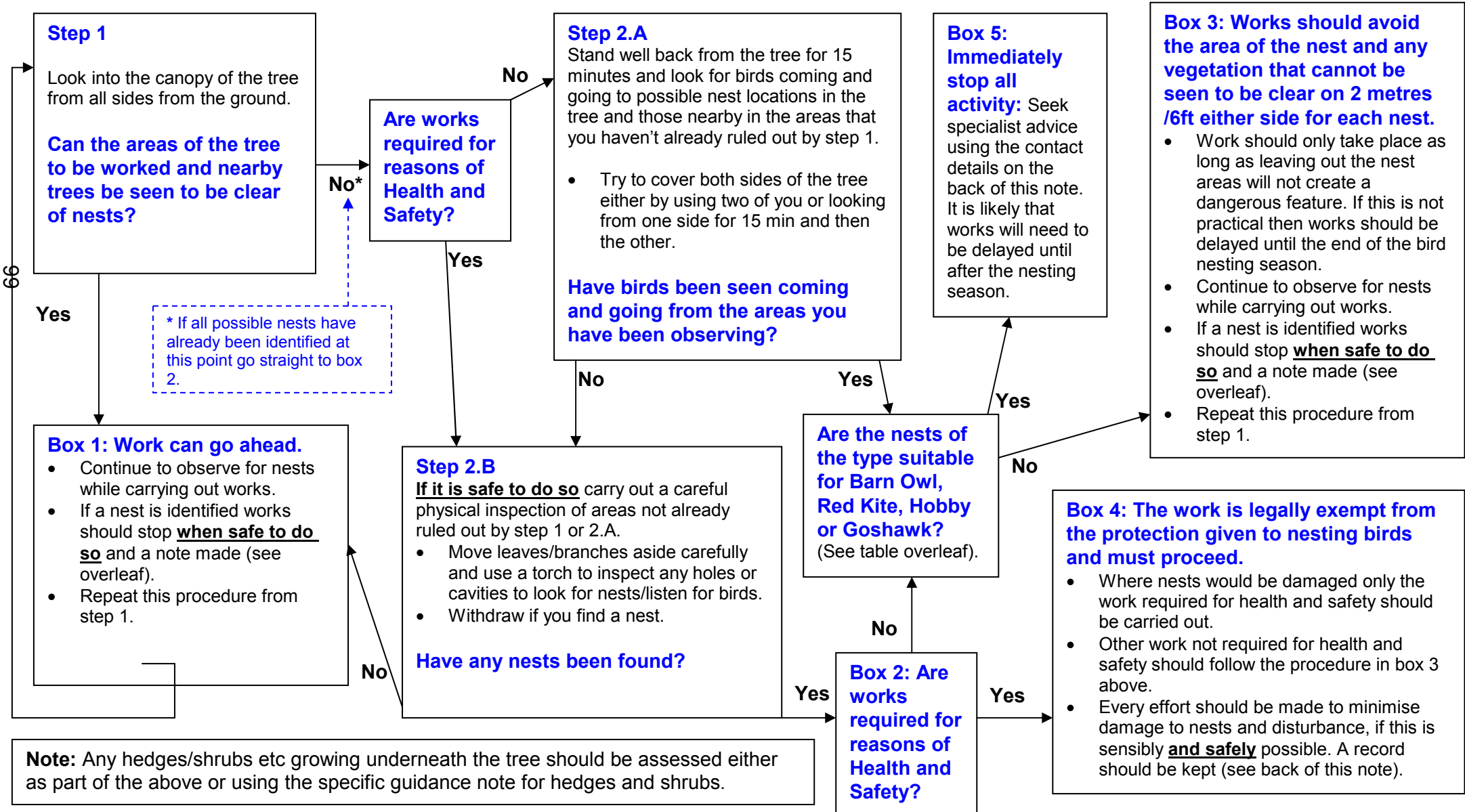
## **Specialist advice and Further Information**

Specialist advice can be sought from:

- Peterborough City Council Wildlife Officer: 01733 453400
- Peterborough City Council Natural Environment Team Leader: 01733 453465
- Natural England: 01733 405850
- RSPB: 01767 693690

Further information on birds can be obtained from the RSPB website:  
[www.rspb.org.uk](http://www.rspb.org.uk)

### 7.3 Suggested Guidance for Issue to Officers and Contract Staff: Works to woodlands, shelterbelts and non street trees in the bird nesting season 1<sup>st</sup> March – 31<sup>st</sup> August



## Record keeping when nests are found

A record should be kept of hedge, shrub and tree works carried out during the bird nesting season when nests that are in use are found. The record should include:

- The type of work including dates and times.
- The details of any enquiry/complaint which has drawn the works to the Council attention
- The location of the nest, what level of assessment had been carried out and how it was found.
- The condition of the nest for example, empty or with eggs. Adult bird present/scared off. Eggs warm or cold (this should only be checked if the adult bird is not present).
- If a nest was found while carrying out health and safety works, the health and safety justification as well as measures taken to minimise damage to nests should be included.
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This record should be lodged with the relevant line manager and also copied to the City Councils Wildlife Officer for the purpose of monitoring the need for revisions to this guidance.

### Specialist advice and Further Information

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- Peterborough City Council Wildlife Officer: 01733 453400
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## Specially protected birds which could nest in non street trees in Peterborough

Bird species	Nesting habits
Barn Owl	Will nest in trees if a suitable (large e.g. 100mm or more) cavity is present in a limb or trunk, barn owls may also nest much earlier and later than is generally the case therefore cavities in trees should be treated in this way at all times of year.
Red kite	Will nest on a main fork or a limb high in a tree typically 12-20m above the ground. The nest is constructed from dead twigs and lined with grass and sheep's wool. Prior to egg laying kites will decorate the nest with paper, rags, crisp packets, carrier bags, even clothing. New material is added to the nest throughout the breeding season, and a nest that has been in use for a number of seasons can grow to a considerable size. Old buzzard or crow nests can also be used by kites.
Hobby	Will nest in old crow's nests near the top of tall trees near farmland which provide a good vantage point. Isolated trees near farmland and wetland or tall trees within a small copse or woodland edge are likely to be used.
Goshawk	The Goshawk will tend to build its own nest close to the main trunk in the top third of a tree. It favours dense mature woodland and relies on radiating branches to construct its nest.

<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 9</b>
<b>15 JULY 2010</b>	<b>Public Report</b>

## **Report of the Solicitor to the Council**

**Contact Officer – Louise Tyers, Scrutiny Manager**

**Contact Details – (01733) 452284 or email [louise.tyers@peterborough.gov.uk](mailto:louise.tyers@peterborough.gov.uk)**

### **SCRUTINY BIG DEBATE – ISSUES PAPER**

#### **1. PURPOSE**

- 1.1 The purpose of this report is to advise the Committee of the outcomes of the Big Debate event which was held in February 2010.

#### **2. RECOMMENDATIONS**

- 2.1 To consider and comment on the outcomes of the Scrutiny Big Debate.
- 2.2 To delegate to the Group Representatives consideration of which items should be added to the Committee's work programme.
- 2.3 To receive an update on the progress of the outcomes at a future meeting.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 3.1 The report and the outcomes of the Big Debate are linked to the Sustainable Community Strategy priority of Creating the UK's environment capital.

#### **4. BACKGROUND**

- 4.1 The Scrutiny Big Debate involved an investigation by the four Scrutiny Committees in to how the economic downturn had affected the City in terms of its aspirations for growth, levels of crime, requirements to support vulnerable people and its credentials for environmental sustainability with particular reference to transport. It was a pioneering piece of work that had been designed and delivered in consultation with the Centre for Public Scrutiny.
- 4.2 The scope of the review for the Environment Capital Scrutiny Committee had been to look at how Peterborough should counter the affects of the economic downturn to ensure delivery of the sustainable transport elements of the Local Transport Plan.
- 4.3 The event was held at Buckle's Solicitors on 2 February 2010 and involved a panel of representatives from various organisations who gave their personal perspectives on the future of sustainable transport in Peterborough and who were then challenged on those views by the audience. The event provoked lots of discussion and there has been a significant amount of positive feedback from attendees.

#### **5. KEY ISSUES**

- 5.1 Following workshops which were held on the evening a number of issues were suggested to take forward for further work. The issues which were raised at the Environment Capital event are attached at Appendix 1.

- 5.2 The Committee are now asked to formally receive the issues which were raised and to:
- (i) consider and comment on the outcomes of the Big Debate; and
  - (ii) delegate to the Group Representatives consideration of which items should be added to the Committee's work programme.

## **6. IMPLICATIONS**

- 6.1 Any implications are contained within the Issues Paper.

## **7. CONSULTATION**

- 7.1 Consultation has taken place as part of the Scrutiny Big Debate event held on 2 February 2010.

## **8. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 8.1 The Scrutiny Big Debate Issues Paper – April 2010

## **9. APPENDICES**

- 9.1 Appendix 1 - Outcomes from the Environment Capital Scrutiny Big Debate



## Environment Capital Scrutiny Committee Big Debate – Issues Paper

Issues	
<b>A</b>	<b>Park and Ride</b>
1.	Consider the provision of an all year round park and ride service by providing three sites in the City
2.	Provide cycle facilities at the park and ride sites
<b>B</b>	<b>Cycling and Walking Improvements</b>
1.	Provide better marking of cycle routes
2.	Improve the availability of maps on cycle and walking routes
3.	Consider extending the use of mobile explorer to cycle routes
4.	Provide a facility for cycle route planning on the Council's website
5.	Enable easier reporting of problems, such as glass on cycle routes
6.	Consider the creation of a cycle hub in the city
7.	Allow cycles to use bus lanes around the city
8.	Provide a cycle bridge over the railway line at the station
9.	Encourage the use of the existing City Council pool bikes by improving shower facilities and lockers
10.	Create incentives for people to live within cycling or walking distance of their workplace
11.	Provide cycle racks/bike trailers on buses
12.	Provide more bus lanes/green lanes around the city
13.	Allow cycles to use Bridge Street by incorporating cycling into the redesign

<b>Issues</b>	
14.	Improve the safety and security of the cycling and walking networks
15.	Examine the possibility of using the Future Jobs Fund to introduce cycle route guides
<b>C</b>	<b>Public Transport</b>
1.	Consider the development of smaller bus interchanges around the city and the introduction of peripheral bus routes
2.	Provide more late evening bus service
3.	Provide more direct bus services into the City Centre
4.	Adopt measures to make bus services attractive to all age groups
5.	Introduce subsidised fares for young people
6.	Pilot the use of alternative fuels
7.	Trial the use of electric vehicles in the city
8.	Consider the introduction of multi-operator ticketing, similar to an Oyster Card
9.	Develop more effective promotion of public transport
10.	Introduce the availability of cross ticketing on all bus operators
11.	Introduce the use of Smartcards on public transport in the City
12.	Examine the need for more rail stations in the city
<b>D</b>	<b>Rail</b>
1.	Provide infrastructure for electric vehicles at the railway station
2.	Examine future rail improvements that include light rail

Issues	
E	Other Suggestions
1.	Improve disabled access in the city and on public transport
2.	Pilot 20mph zones outside all schools across the city
3.	Examine ways to keep traffic out of the city centre
4.	Include charging for staff and member car parking permits in a phased approach and include an opt out scheme offering a megarider as an alternative within the Council's Travel Plan.
5.	Leadership by example in sustainable transport by Members of the City Council
6.	Introduce disincentives to drive into the city centre including congestion charges
7.	Future Section 106 agreements need to be stronger, clearer and enforced
8.	Funding should be directed to ensure implementation plans concentrate on the Environment Capital objectives and priorities
9.	Review car parking charges and introduce car share only bays
10.	Include partners in the design of the Local Transport Plan to give a more holistic approach
11.	Strengthen transport policy by examining the mechanisms for delivery of sustainable transport
12.	Consider the use of shared space in the redesign of city centre
13.	Encourage walking, cycling and the use of public transport to school, including introducing Bikeability into schools
14.	Improve accessibility at the bus station
15.	Integrate sustainable travel with new developments across the city

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<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 10</b>
<b>15 JULY 2010</b>	<b>Public Report</b>

## **Report of the Solicitor to the Council**

**Report Author** – Louise Tyers, Scrutiny Manager

**Contact Details** – 01733 452284 or email [louise.tyers@peterborough.gov.uk](mailto:louise.tyers@peterborough.gov.uk)

### **FORWARD PLAN – JULY TO OCTOBER 2010**

#### **1. PURPOSE**

- 1.1 This is a regular report to the Environment Capital Scrutiny Committee outlining the content of the Council's Forward Plan.

#### **2. RECOMMENDATIONS**

- 2.1 That the Committee identifies any relevant items for inclusion within their work programme.

#### **3. BACKGROUND**

- 3.1 The latest version of the Forward Plan is attached at Appendix 1. The Plan contains those key decisions, which the Leader of the Council believes that the Cabinet or individual Cabinet Member(s) will be making over the next four months.
- 3.2 The information in the Forward Plan provides the Committee with the opportunity of considering whether it wishes to seek to influence any of these key decisions, or to request further information.
- 3.3 If the Committee wished to examine any of the key decisions, consideration would need to be given as to how this could be accommodated within the work programme.

#### **4. CONSULTATION**

- 4.1 Details of any consultation on individual decisions are contained within the Forward Plan.

#### **5. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

None

#### **6. APPENDICES**

Appendix 1 – Forward Plan of Executive Decisions

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**PETERBOROUGH CITY  
COUNCIL'S FORWARD PLAN  
1 JULY 2010 TO 31 OCTOBER 2010**

## FORWARD PLAN OF KEY DECISIONS - 1 JULY 2010 TO 31 OCTOBER 2010

During the period from 1 July 2010 To 31 October 2010 Peterborough City Council's Executive intends to take 'key decisions' on the issues set out below. Key decisions relate to those executive decisions which are likely to result in the Council spending or saving money in excess of £500,000 and/or have a significant impact on two or more wards in Peterborough.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. The dates detailed within the Plan are subject to change and those items amended or identified for decision more than one month in advance will be carried over to forthcoming plans. Each new plan supersedes the previous plan. Any questions on specific issues included on the Plan should be included on the form which appears at the back of the Plan and submitted to Alex Daynes, Senior Governance Officer, Chief Executive's Department, Town Hall, Bridge Street, PE1 1HG (fax 01733 452483). Alternatively, you can submit your views via e-mail to [alexander.daynes@peterborough.gov.uk](mailto:alexander.daynes@peterborough.gov.uk) or by telephone on 01733 452447.

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the papers listed on the Plan can be viewed free of charge although there will be a postage and photocopying charge for any copies made. All decisions will be posted on the Council's website: [www.peterborough.gov.uk](http://www.peterborough.gov.uk). If you wish to make comments or representations regarding the 'key decisions' outlined in this Plan, please submit them to the Governance Support Officer using the form attached. For your information, the contact details for the Council's various service departments are incorporated within this plan.

### NEW ITEMS THIS MONTH:

**Extension of the Banking Services Contract with Barclays Bank**  
**The Future of Peterborough Community Services (the provider arm of the Primary Care Trust)**  
**Legal Services for the Medium Term Financial Strategy**  
Carbon Reduction Commitment (CRC) Energy Efficiency Scheme



## JULY

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<p><b>Supporting People Programme: Independent Living Support Service</b>            To approve a contract between Peterborough City Council and NHS Peterborough to jointly commission existing housing related support services where social care is also provided or the services meet local or national priorities and strategy through the NHS Peterborough commissioned Independent Living Support Service, for an initial term of 3 years from 1 April 2010 with the discretion to extend this on an annual basis to a maximum of 5 years.</p>	<p>July 2010</p>	<p><b>Cabinet Member for Housing, Neighbourhoods and Planning</b></p>	<p>Strong and Supportive Communities and Scrutiny Commission for Health Issues</p>	<p>Internal Departments and Relevant Stakeholders as appropriate.</p>	<p>Belinda Child            Housing Strategic Manager   <a href="mailto:belinda.child@peterborough.gov.uk">belinda.child@peterborough.gov.uk</a></p>	<p>Public report will be available from the Governance Team one week before the decision is made.</p>

<p><b>Hampton Children's Centre</b> The development of a children's centre facility in the grounds of Hampton Hargate Primary School. The facility will comprise rooms for a larger pre-school as well as multi function rooms to develop a range of services predominantly for children under 5 and their families.</p>	July 2010	<b>Cabinet Member for Children's Services</b>	Creating Opportunities and Tackling Inequalities	A range of people and organisations have been consulted through the process. Ongoing consultation will take place in working with parents to ensure the service delivered from the facility meet local needs	Pam Setterfield Assistant Head of Children & Families Services (0-13) Tel: 01733 863897 <a href="mailto:pam.setterfield@peterborough.gov.uk">pam.setterfield@peterborough.gov.uk</a>	Public report will be available from the Governance Team one week before the decision is made.
<p><b>Peterborough Bridges Refurbishment Programme 2010/11</b> Nomination of contractor through the HA Midlands Works Framework Contract 4</p>	July 2010	<b>Cabinet Member for Housing, Neighbourhoods and Planning</b>	Environment Capital	Relevant stakeholders and ward councillors as appropriate.	Richard Cranwell Bridges and Drainage Team Manager <a href="mailto:richard.cranwell@peterborough.gov.uk">richard.cranwell@peterborough.gov.uk</a>	Public report will be available from the Governance Team one week before the decision is made.

<p><b>Transport and Engineering Professional Services Contract</b> As a result of negotiations with the current supplier to deliver further savings for the Council over the remainder of the current contract there is a need to put in a place a contract variation that requires a Cabinet Member decision.</p>	July 2010	<p><b>Cabinet Member for Housing, Neighbourhoods and Planning</b></p>	Environment Capital	Internal Departments and Relevant Stakeholders as appropriate.	<p>Barry Kirk, Transportation and Development Group Manager Tel: 01733 317450 <a href="mailto:Barry.kirk@peterborough.gov.uk">Barry.kirk@peterborough.gov.uk</a></p>	Public report will be available from the Governance Team one week before the decision is made.
<p><b>Extension to Hampton Hargate School</b> Authority to award a contract for the construction of an extension to Hampton Hargate Primary School</p>	July 2010	<p><b>Cabinet Member for Education, Skills and University</b></p>	Creating Opportunities and Tackling Inequalities	Consultation will take place with relevant stakeholders, internal departments and ward councillors as appropriate.	<p>Isabel Clark Planning &amp; Development Manager Tel: 01733 863914 <a href="mailto:isabel.clark@peterborough.gov.uk">isabel.clark@peterborough.gov.uk</a></p>	Public report will be available from the Governance Team one week before the decision is made

<p><b>Joint Service Centre at Hampton</b> To commence the procurement process for a design and build contract for the provision of new leisure and library facilities at Hampton as part of the joint service centre in partnership with NHS Peterborough</p>	July 2010	<p><b>Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning</b></p>	Strong and Supportive Communities	Consultation will take place with the Cabinet Member of Community Services, ward councillors, affected divisions within PCC and potential user groups in Hampton.	<p>Fiona O'Mahony Hampton Joint Service Centre Project Director Tel: 01733 863856 <a href="mailto:fiona.o'mahony@peterborough.gov.uk">fiona.o'mahony@peterborough.gov.uk</a></p>	Public report will be available from the Governance Team one week before the decision is made
<p><b>Passenger Transport Framework Tender</b> Requirements for special educational needs and mainstream school contract.</p>	July 2010	<p><b>Cabinet Member for Education, Skills and University</b></p>	Creating Opportunities and Tackling Inequalities	Internal stakeholders.	<p>Cathy Summers Team Manager - Passenger Transport Contracts and Planning  <a href="mailto:cathy.summers@peterborough.gov.uk">cathy.summers@peterborough.gov.uk</a></p>	Public report will be available from the Governance Team one week before the decision is made.
<p><b>Floating Support Contract: Cross Keys Homes Extension of Contract</b> Extension of contract to provide a generic floating support service for clients with housing support needs.</p>	July 2010	<p><b>Cabinet Member for Housing, Neighbourhoods and Planning</b></p>	Strong and Supportive Communities	Internal Departments and Relevant Stakeholders as appropriate.	<p>Belinda Child Housing Strategic Manager  <a href="mailto:belinda.child@peterborough.gov.uk">belinda.child@peterborough.gov.uk</a></p>	Public report will be available from the Governance Team one week before the decision is made.

<p><b>Extension of the Banking Services Contract with Barclays Bank</b> Peterborough City Council's contract with Barclays Bank who provide our banking services is due to expire on the 30<sup>th</sup> September 2010 and the contract needs to be extended for a further 2 years.</p>	July 2010	<b>Cabinet Member for Resources</b>	Strong and Supportive Communities	Internal Departments and Relevant Stakeholders as appropriate.	Sian Warren Capital Accounting Manager Tel: 863924 <a href="mailto:sian.warren@peterborough.gov.uk">sian.warren@peterborough.gov.uk</a>	Public Report will be available from the governance Team one week before the decision is taken
<p><b>Legal Services for the Medium Term Financial Strategy</b> To appoint a legal services partner for the provision of legal advice in relation to the MTFs who have experience of implementing joint ventures, designing financial models for major construction and development projects and providing legal agreements and design work.</p>	July 2010	<b>Cabinet Member for Resources</b>	Strong and Supportive Communities	Internal Departments and Relevant Stakeholders as appropriate.	Andrew Cox Senior Category Manager <a href="mailto:andy.cox@peterborough.gov.uk">andy.cox@peterborough.gov.uk</a>	Public Report will be available from the Governance Team one week before the decision is taken
<p><b>CRC Energy Efficiency Scheme</b> Obligatory emissions trading scheme, PCC is required to register before September 2010 for full participation in the scheme because it met the qualification criteria.</p>	July 2010	<b>Cabinet Member for Environment Capital</b>	Environment Capital	Internal	Charlotte Palmer Climate Change Team Manager <a href="mailto:Charlotte.palmer@peterborough.gov.uk">Charlotte.palmer@peterborough.gov.uk</a>	Public Report will be available from the Governance Team one week before the decision is taken

## AUGUST

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<p><b>Award of Contract - Heltwate School</b> To award the contract for refurbishment of the school</p>	August 2010	<b>Cabinet Member for Education, Skills and University</b>	Creating Opportunities and Tackling Inequalities	Internal departments as appropriate	Alison Chambers Asset Development Officer  <a href="mailto:alison.chambers@peterborough.gov.uk">alison.chambers@peterborough.gov.uk</a>	Public report will be available from the Governance Team one week before the decision is made.
<p><b>Ormiston Bushfield Academy</b> To award a contract to design &amp; build the new Ormiston Bushfield Academy school buildings from the Partnerships for Schools National Framework of Contractors.</p>	August 2010	<b>Chief Executive</b>	Creating Opportunities and tackling Inequalities	Internal Departments and Relevant Stakeholders as appropriate.	Brian Howard PFI Project Manager Tel: 01733 863976 <a href="mailto:brian.howard@peterborough.gov.uk">brian.howard@peterborough.gov.uk</a>	Public report will be available from the Governance Team one week before the decision is made.

## SEPTEMBER

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<p><b>Section 75 Pooled funding arrangements for substance misuse services</b>            Variation to the existing partnership agreement under the National Health Act 2006 to pool funding from NHS Peterborough and PCC to commission drugs services. The variation takes into account the slight changes to governance and structure of the former Drug and Alcohol Action Team, now part of the Safer Peterborough Partnership, and additional funding made available to NHS Peterborough for integrated drug treatment within HMP Peterborough.</p>	<p>September 2010</p>	<p><b>Cabinet Member for Resources</b></p>	<p>Scrutiny Commission for Health Issues</p>	<p>Internal stakeholders as appropriate</p>	<p>Karen Kibblewhite            Community Safety And Substance Misuse Manager            Tel: 01733 864122  <a href="mailto:karen.kibblewhite@peterborough.gov.uk">karen.kibblewhite@peterborough.gov.uk</a></p>	<p>Public report will be available from the Governance team one week before the decision is made</p>

<p><b>The Future of Peterborough Community Services (the provider arm of the Primary Care Trust)</b> For Cabinet to approve proposals from the Primary Care Trust regarding the future of Peterborough Community Services, including adult social care.</p>	September 2010	<b>Cabinet</b>	Scrutiny Commission for Health Issues	Internal Departments and Relevant Stakeholders as appropriate.	Denise Radley Director of Adult Social Services & Performance Tel: 01733 758444 <a href="mailto:denise.radley@peterborough.gov.uk">denise.radley@peterborough.gov.uk</a>	Public report will be available from the Governance Team one week before the decision is made.
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## OCTOBER

KEY DECISION REQUIRED	DATE OF DECISION	DECISION MAKER	RELEVANT SCRUTINY COMMITTEE	CONSULTATION	CONTACT DETAILS / REPORT AUTHORS	REPORTS
<b>THERE ARE CURRENTLY NO DECISION SCHEDULED FOR OCTOBER.</b>						



**CHIEF EXECUTIVE'S DEPARTMENT Town Hall, Bridge Street, Peterborough, PE1 1HG**

Communications  
Strategic Growth and Development Services  
Legal and Democratic Services  
Policy and Research  
Economic and Community Regeneration  
Housing Strategy  
Drug Intervention Programme and Drug and Alcohol Team  
HR Business Relations, Training & Development, Occupational Health & Reward & Policy

**COMMERCIAL SERVICES DEPARTMENT Nursery Lane, Fengate, Peterborough PE1 5BG**

Property Services  
Building & Maintenance  
Streetscene and Facilities  
Finance and Support Services

**STRATEGIC RESOURCES DEPARTMENT Director's Office at Town Hall, Bridge Street, Peterborough, PE1 1HG**

Finance  
Internal Audit  
Information Communications Technology (ICT)  
Business Transformation  
Performance and Programme Management  
Strategic Property  
Human Resources (HR Support)  
Customer Services

**CHILDRENS' SERVICES DEPARTMENT Bayard Place, Broadway, PE1 1FB**

Families and Communities  
Commissioning and Performance  
Learning

**OPERATIONS DEPARTMENT Bridge House, Town Bridge, PE1 1HB**

Planning Services (Planning Delivery, Building Control )

Environment Transport and Engineering Services (Infrastructure Planning & Delivery, Network Management, Transport & Sustainable Environment)

**City Operations (Resilience, CCTV, Car Parking, Markets, Health & Safety)**

**Neighbourhood Services (Community Engagement, Community Safety, Business Regulation, Housing)**

Operations Business Support (Finance, Economic Participation, Business Support)

**ENVIRONMENT CAPITAL SCRUTINY COMMITTEE  
WORK PROGRAMME 2010/11**

Meeting Date	Item	Progress
<b>10 June 2010</b> (Papers to be despatched on 2 June 2010)	<b>Tree Pollarding Programme</b> To consider the Tree Pollarding Programme at the request of Councillor Sandford. <b>Contact Officer: Mike Heath</b>	Recommendation made to the Cabinet Member for Culture, Recreation and Strategic Commissioning
	<b>Review of 2009/10 and Future Work Programme</b> To review the work undertaken during 2009/10 and to consider the future work programme of the Committee. <b>Contact Officer: Louise Tyers</b>	Completed.
<b>15 July 2010</b> (Papers to be despatched on 7 July 2010)	<b>Environment Capital – The Next Steps</b> Early consultation on the development of the Environment Capital Policy. <b>Contact Officer: Trevor Gibson</b>	
	<b>Carbon Reduction Commitment Scheme</b> To consider the Council's registration as a participant in the Carbon Reduction Commitment Scheme prior to its consideration by the Executive. <b>Contact Officer: Charlotte Palmer</b>	
	<b>Revised Biodiversity Strategy</b> To scrutinise the revised Biodiversity Policy prior to its consideration by the Executive. <b>Contact Officer: Brian Armstrong</b>	
	<b>Peterborough's Christmas Park and Ride</b> To provide an update on the development of the proposals for this year's Christmas Park and Ride service. <b>Contact Officer: Teresa Wood</b>	

Meeting Date	Item	Progress
	<p><b>Scrutiny Big Debate – Issues Paper</b></p> <p>To consider the issues which were identified at the Big Debate meeting held in February 2010.</p> <p><b>Contact Officer: Louise Tyers</b></p>	
<p><b>9 September 2010</b> (Papers to be despatched on 1 September 2010)</p>	<p><b>Draft Environment Capital Policy</b></p> <p>To scrutinise the draft Environment Capital Policy prior to its consideration by the Executive.</p> <p><b>Contact Officer: Trevor Gibson</b></p>	
	<p><b>Trees and Woodland Strategy; Open Spaces Strategy; and Playing Fields Strategy</b></p> <p>To consider the draft Trees and Woodlands Strategy, Open Spaces Strategy and Playing Fields Strategy prior to their consideration by the Executive.</p> <p><b>Contact Officer: Mike Heath</b></p>	
	<p><b>The Council’s Approach to Biodiversity: 2010 Progress Report</b></p> <p>To consider the Annual Report on the actions and targets contained in the 2004 Biodiversity Strategy.</p> <p><b>Contact Officer: Brian Armstrong</b></p>	
	<p><b>Costs of the Waste 2020 Programme</b></p> <p>To consider the costs of the Waste 2020 Programme including the outcome of the analysis of the figures submitted by Friends of the Earth.</p> <p><b>Contact Officer: John Harrison</b></p>	
	<p><b>Consultation on New Executive Arrangements and Possible Changes to Electoral Cycles</b></p> <p>To be consulted on proposed New Executive Arrangements and Possible Changes to Electoral Cycles.</p> <p><b>Contact Officer: Helen Edwards</b></p>	

Meeting Date	Item	Progress
<b>4 November 2010</b> (Papers to be despatched on 27 October 2010)	<b>Review of the Impact of the Bus Service Review</b> To scrutinise the impact of the bus service review which commenced in April 2010. <b>Contact Officer: Cathy Summers</b>	
	<b>Review of the Impact of the Charge for Bulky Waste Collection</b> To scrutinise the impact of the charge for bulky waste collection and whether it has had any impact on the number of incidents of flytipping. <b>Contact Officer: Mike Heath</b>	
	<b>Progress on the Environment Capital Portfolio (Councillor Samantha Dalton)</b> To scrutinise the progress of the Environment Capital Portfolio. <b>Contact Officer: Trevor Gibson</b>	
<b>3 February 2011</b> (Papers to be despatched on 26 January 2011)		
<b>10 March 2011</b> (Papers to be despatched on 2 March 2011)	<b>Progress on the Environment Capital Portfolio (Councillor Samantha Dalton)</b> To scrutinise the progress of the Environment Capital Portfolio. <b>Contact Officer: Trevor Gibson</b>	Invitation sent to the Cabinet Member on 23 June 2010.

#### TO BE SCHEDULED

- Adverse Weather Conditions – Review of Actions
- Environment and Transport Elements of LTP3 – including Options for Park & Ride and Water Taxis
- Long Term Transport Strategy (when available)
- Integrated Ticketing on Bus Services

- The Balance Between Environmental Education and Enforcement (Follow up report from July 2009)
- Preparations for the Floods and Water Management Act (Follow up report from July 2009)
- Cross City Bus Network and Other Travel Modes – To consider the options for a cross city bus network following a Motion from Council in December 2009.
- Implications for environment and transport of the Lot 3 procurement