

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

3 NOVEMBER 2011

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Regeneration & Transport – Lead Cabinet Member – Councillor Smith
Environment – Lead Cabinet Member – Councillor Rose
Arts, Leisure and Culture – Lead Cabinet Member – Councillor Dixon

LOCAL DEVELOPMENT FRAMEWORK:

- **STOCKTON-ON-TEES GREEN INFRASTRUCTURE STRATEGY**
- **LOCAL WILDLIFE AND GEOLOGICAL SITES**
- **LANDSCAPE CHARACTER ASSESSMENT AND CAPACITY STUDY**

1. Summary

The three items covered by this composite report form part of the evidence base for the Local Development Framework, including the Environment Development Plan Document and Regeneration Development Plan Document. Collectively these documents and the associated information will be used in the determination of planning applications. They will also help to underpin and inform many future work programmes developed by Stockton Borough Council and partner organisations:

a) Stockton-on-Tees Green Infrastructure Strategy

The Strategy sets out the strategic objectives for green infrastructure planning in the Borough, and identifies a green infrastructure network which will be delivered and enhanced through the spatial planning process and other mechanisms. An earlier consultation draft was approved by Cabinet in June 2009. The Final Draft is attached as **Appendix 1**. It has been prepared by the Borough Council on behalf of the Stockton-on-Tees Green Infrastructure Steering Group. This group currently comprises officer representatives from the Environment Agency, Forestry Commission, Groundwork North East, Industry Nature Conservation Association (INCA), Natural England, Stockton-on-Tees Borough Council and Tees Valley Wildlife Trust.

The Stockton-on-Tees Green Infrastructure Steering Group will oversee the preparation of a partnership Action Plan and support its delivery. In doing so, the Steering Group will continue to liaise with other partners through Stockton Renaissance.

b) Local Wildlife and Geological Sites

A study has been undertaken to identify a number of sites across the Borough which are of local value in terms of their biodiversity or geological interest. In accordance with government guidance, the criteria used to select these 'Local Sites' was agreed through the 'local sites partnership', in this case the Tees Valley Biodiversity Partnership Steering Group. The sites are shown on the plan attached as **Appendix 2**.

Information held on Local Sites will help to inform the on-going work of the Council and its partners in relation to biodiversity. In addition, under the new Single Data List published by the Department for Communities and Local Government, local authorities are required to submit annual data to central government on the 'proportion of Local Sites where positive conservation management is being achieved'.

c) Stockton-on-Tees Landscape Character Assessment & Capacity Study

Research commissioned by Stockton Council to provide a robust analysis of the Borough's rural and urban fringe landscapes and to determine the degree to which a particular landscape character type or area is able to accommodate change. The study categorised the Borough's landscape into seven Landscape Character Areas (as shown on the plan attached as **Appendix 3**), each comprising a number of smaller Landscape Units.

Information on landscape character will help to inform the on-going work of the Council and its partners in relation to landscape conservation and enhancement.

2. Recommendations

Members are recommended to:

1. Approve the Stockton-on-Tees Green Infrastructure Strategy, data on Local Wildlife and Geological Sites and Stockton-on-Tees Landscape Character Assessment & Capacity Study as part of the evidence base for the Local Development Framework, including the Environment and Regeneration Development Plan Documents.
2. Endorse the publication of the Stockton-on-Tees Green Infrastructure Strategy.
3. Task the Stockton-on-Tees Green Infrastructure Steering Group to prepare and oversee delivery of an overarching partnership Action Plan, in liaison with a wider network of partners.
4. Task officers to work in liaison with Ward Councillors, Area Partnership Boards, Town/Parish Councils and other partners to identify local green infrastructure projects to be delivered by Stockton Borough Council or other delivery partners as part of the overarching Action Plan.

3. Reasons for the Recommendations/Decision(s)

To endorse and make available the documents and data referred to in the report as part of the evidence base for the preparation of local development documents. The Green Infrastructure Strategy will also inform the Council's future work programmes, helping to identify priorities for action and approaches to the on-going management and maintenance of green infrastructure.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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SUMMARY

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The Stockton-on-Tees Green Infrastructure Steering Group will oversee the preparation of a partnership Action Plan and support its delivery. In doing so, the Steering Group will continue to liaise with other partners through Stockton Renaissance.

b) Local Wildlife and Geological Sites

A study has been undertaken to identify a number of sites across the Borough which are of local value in terms of their biodiversity or geological interest. In accordance with government guidance, the criteria used to select these 'Local Sites' was agreed through the 'local sites partnership', in this case the Tees Valley Biodiversity Partnership Steering Group. The sites are shown on the plan attached as **Appendix 2**.

Information held on Local Sites will help to inform the on-going work of the Council and its partners in relation to biodiversity. In addition, under the new Single Data List published by the Department for Communities and Local Government, local authorities are required to submit annual data to central government on the 'proportion of Local Sites where positive conservation management is being achieved'.

c) Stockton-on-Tees Landscape Character Assessment & Capacity Study

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Information on landscape character will help to inform the on-going work of the Council and its partners in relation to landscape conservation and enhancement.

RECOMMENDATIONS

Members are recommended to:

1. Approve the Stockton-on-Tees Green Infrastructure Strategy, data on Local Wildlife and Geological Sites and Stockton-on-Tees Landscape Character Assessment & Capacity Study as part of the evidence base for the Local Development Framework, including the Environment and Regeneration Development Plan Documents.
2. Endorse the publication of the Stockton-on-Tees Green Infrastructure Strategy.
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DETAIL

Local Development Framework

1. In March 2010 the Council adopted the Core Strategy Development Plan Document (DPD), which sets out a number of strategic objectives and policies which will guide the preparation of more detailed policies in subsequent plans. The remaining DPDs to be produced by the Council are the Regeneration and Environment DPDs:
 - The Environment Development Plan Document will principally deal with the protection and enhancement of the natural, built and historic environment and the delivery of green infrastructure within the Borough.
 - The Regeneration Development Plan Document will allocate sites for development and contain related policies to deliver the vision contained in the Core Strategy.
2. The three items covered by this composite report form part of the evidence base for the Local Development Framework, including the Environment Development Plan Document and Regeneration Development Plan Document. Collectively these documents and the associated

information will be used in the determination of planning applications. The specific relevance of the reports to the Environment DPD is detailed below:

- The significance of green infrastructure has already been identified in the Core Strategy, and green infrastructure was identified as an overarching theme in the Environment DPD Issues and Options Consultation (December 2010).
 - The current Planning Policy Statement 9 (Biodiversity and Geological Conservation) advises that Local Wildlife and Geological Sites should be identified in Local Development Frameworks and criteria based policies formulated against which proposals for any development on or affecting such sites will be judged. The Environment DPD Issues and Options Consultation identified as an option the 'provision of criteria-based policies for development on or affecting Local Sites'.
 - It is detailed within the Landscape Character Assessment & Capacity Study that these will be important tools in preparing Local Development Frameworks. The Environment DPD Issues and Options Consultation identified as an option the 'development of a policy to ensure development is conducive with the Landscape Character Assessment & Capacity Study'.
3. The approval of these documents will allow them to be used as an evidence base to support emerging policy.

Stockton-on-Tees Green Infrastructure Strategy

4. An earlier draft of the Stockton-on-Tees Green Infrastructure Strategy was presented to Cabinet in June 2009. A period of public consultation followed, running from 1 July to 30 September 2009 (later extended to 9 October). The final version of the Strategy (**Appendix 1**) has been informed by the feedback received at that time and through on-going dialogue with a range of partner organisations. The policy and strategic context for green infrastructure planning and management has also changed since the publication of the consultation draft and this is reflected in the document (for example, the revocation of Regional Strategies in July 2010 and a greater emphasis on delivery through community-led initiatives).
5. This final draft of the of the Strategy has been prepared by Stockton Borough Council on behalf of the Stockton on Tees Green Infrastructure Steering Group, which currently comprises the following organisations:
- Environment Agency
 - Forestry Commission
 - Groundwork North East
 - Industry Nature Conservation Association (INCA)
 - Natural England
 - Stockton-on-Tees Borough Council
 - Tees Valley Wildlife Trust
6. The Stockton-on-Tees Green Infrastructure Steering Group will oversee the implementation of the Strategy. All major projects and activities will be set out in an Action Plan, prepared in partnership with a wide range of organisations and agencies and incorporating several existing initiatives. The Action Plan will include details of funding and delivery mechanisms, with many projects likely to be dependent upon securing external funding.
7. As part of this process Stockton Council's Countryside and Greenspace Team will prepare plans identifying the Council's priorities under the Green Infrastructure Strategy. These plans will be prepared on an area-by-area basis. They will be informed by previous consultation and research work and will also capture other project proposals that have come forward through the

Council's on-going work with local communities. The final plans will be prepared in consultation with Ward Councillors, Area Partnership Boards, Town/Parish Councils and other partners.

8. Policies within the Local Development Framework and other strategies and plans will contribute towards the successful implementation of the Strategy. Regeneration initiatives will also play an important role in delivery, with green infrastructure potentially forming an important element of many new developments.
9. The Stockton-on-Tees Green Infrastructure Steering Group will develop a Communications Plan for the Strategy and work to ensure a broad network of partners is kept informed of developments and given the opportunity to contribute to the on-going delivery of the Strategy. Progress reports on delivery of the Strategy and Action Plan will be provided to the Environment Partnership and the other thematic and area partnership boards under Stockton Renaissance, and to Cabinet as appropriate.

Local Wildlife and Geological Sites

10. Often referred to simply as 'Local Sites' these are non-statutory areas which are considered to be of local importance for biodiversity and/or geodiversity.
11. In 2006 the Department for Environment, Food and Rural Affairs (Defra) issued new guidance on the identification, selection and management of Local Sites. In accordance with that guidance, the Tees Valley Biodiversity Partnership Steering Group has taken on the role of the Local Sites Partnership for the Tees Valley and is responsible for the selection of Local Sites, and the de-selection of sites which no longer qualify.
12. The Local Sites Partnership has developed a robust set of criteria for the selection of Local Wildlife Sites, based on the presence of specific flora and fauna, or assemblages of species. Local Geological Sites are selected by the Tees Valley RIGS Group acting as a specialist sub-group of the Local Sites Partnership.
13. The Local Sites Partnership has currently identified 57 Local Sites in Stockton Borough which meet the site selection criteria. The sites are recorded on the plan and table at **Appendix 2**. Further information on the site selection criteria and the sites themselves is available via E-genda.
14. Local Wildlife Sites are non-statutory sites so have a much lower level of protection than Sites of Special Scientific Interest (SSSIs). In many cases these sites were previously designated as 'Sites of Nature Conservation Importance' in the Stockton-on-Tees Local Plan, 1997. It should also be noted that designation as a Local Wildlife Site does not confer any right of access to any person, nor does it place any obligation on the landowner to manage their land in a certain way. However, the Tees Valley Biodiversity Partnership is able to provide information and assistance to support positive management of these sites.
15. Under the new Single Data List published by the Department for Communities and Local Government, local authorities are required to submit annual data to central government on the 'proportion of Local Sites where positive conservation management is being achieved'.

Stockton-on-Tees Landscape Character Assessment & Capacity Study

16. Landscape character is what makes an area unique. It is defined by Natural England as "a distinct, recognisable and consistent pattern of elements, be it natural (soil, landform) and/or human (for example settlement and development) in the landscape that makes one landscape different from another, rather than better or worse". Landscape Character Assessment (LCA)

is a technique used to develop a consistent and comprehensive understanding of what gives landscape its character.

17. During 2009 to 2010 a Landscape Character Assessment (LCA) was undertaken covering all rural and urban fringe areas of Stockton Borough. The study was carried out in accordance with national guidance, as published by the Countryside Agency (now Natural England) and Scottish Natural Heritage in 2002.
18. Through survey work and analysis seven broad 'Landscape Character Areas' were identified, as shown on the plan at **Appendix 3**. The study also subdivided these Landscape Character Areas into a total of 197 smaller 'Landscape Units'.
19. The survey data and reports provide a valuable tool to aid spatial planning, inform the preparation of planning briefs, and guide decisions on future land management. The full LCA report and associated data is available via E-genda.
20. In association with the LCA, a Landscape Capacity Study was undertaken to assess the degree to which a particular landscape character type or area is able to accommodate change without significant effects on its character, or overall change of landscape character. As with the LCA, the Landscape Capacity Study report is intended to form part of the evidence base for the emerging Local Development Framework. It is also available via E-genda.

FINANCIAL IMPLICATIONS

21. New projects for delivery under the Stockton-on-Tees Green Infrastructure Strategy have yet to be finalised. The proposed Action Plan will set out a wide range of projects, identifying lead delivery partners and potential sources of funding. Stockton Borough Council is likely to be able to support delivery of the Strategy through some of its existing budgets, projects and operations. External funding and/or Stockton Borough Council funding may be sought for other projects in the future.

LEGAL IMPLICATIONS

22. There are no legal implications at this stage.

RISK ASSESSMENT

23. The development and delivery of the Green Infrastructure Strategy, and the use and application of the data referred to in the report, is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

24. The Green Infrastructure Strategy will contribute towards delivery of all the key themes within the Sustainable Community Strategy (2008-2021):

Economic Regeneration and Transport, e.g.

- Stimulating inward investment by creating attractive environments and improving image
- Nature and activity-based tourism
- Sustainable transport networks
- Encouraging greater use of the River Tees

Environment and Housing, e.g.

- Creating better parks and open spaces
- Tackling climate change
- Improving design quality
- Conserving and enhancing our natural resources including biodiversity and geodiversity
- Safeguarding the historic environment

Community Safety, e.g.

- Reducing crime and the fear of crime through well-designed and well-used greenspaces

Children and Young People, e.g.

- Involving children and young people in shaping their environment
- Providing safe and stimulating spaces to play

Healthier Communities and Adults, e.g.

- Promoting healthy lifestyles, including walking, cycling and active recreation

Stronger Communities, e.g.

- Providing opportunities for community involvement in the management and development of greenspaces, increasing pride in the local area.

Older Adults. e.g.

- Providing leisure and recreational opportunities

Arts, Leisure and Culture, e.g.

- Conserving and celebrating local heritage
- Providing settings for cultural events and sport

EQUALITIES IMPACT ASSESSMENT

25. This report is not subject to an Equality Impact Assessment because the Green Infrastructure Strategy does not include any specific policy recommendations or project proposals, and the other information is presented as part of the evidence base to inform the Local Development Framework and future projects. However, in the future it may be necessary to undertake an Equality Impact Assessment on those elements of the Strategy Action Plan which are to be delivered by the Council.

CONSULTATION INCLUDING WARD/COUNCILLORS

26. Area and Thematic Partnership Boards were briefed on the development of the Green Infrastructure Strategy during 2008. Then, between April and June 2009, Stockton Council (in partnership with Tees Valley Rural Community Council, the Environment Agency and Groundwork) organised a Borough-wide consultation exercise to gain an improved understanding of how people view their local green infrastructure and what improvements they would like to see. A total of 22 drop-in sessions were held across the Borough and the information gained helped to inform the Strategy itself, and will inform future Action Plans.

27. The first draft of the Green Infrastructure Strategy was presented to Cabinet in June 2009 and this was then subject to a period of public consultation between 1 July to 30 Sept 2009 (later extended to 9 October 2009). This included a series of presentations to Area Partnership Boards, Stockton Renaissance Board, the Parish Council Liaison Forum and Stockton Environment Partnership, between June and September 2009. The final draft Strategy has been also been presented to Area Partnership Boards and the Environment Partnership during September and October 2011.

28. Ward Councillors have been kept informed of the development of the Green Infrastructure Strategy as part of the above consultations. Ward councillors will also be consulted on an area-by-area basis regarding proposed projects for inclusion in the forthcoming Strategy Action Plan.

29. Parish Councils were invited to contribute to the Landscape Character Assessment work, with many Council's providing information and comments on local landscape features and characteristics.

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Education related? No

Background Papers

Countryside Agency and Scottish Natural Heritage (2002): Landscape Character Assessment: Guidance for England and Scotland

Department for Communities and Local Government (2011): Single list of central government data requirements from local government - 2011/12

Department for Environment Food and Rural Affairs (2006): Local Sites - Guidance on their Identification, Selection and Management

Planning Policy Statement 9: Biodiversity and Geological Conservation

Stockton-on-Tees Borough Council (2010): Environment DPD Issues and Options Consultation

Tees Valley Biodiversity Partnership (2010): Guidelines for the selection of Local Wildlife Sites in the Tees Valley

Ward(s) and Ward Councillors:

Not applicable

Property

Not applicable