

# BLACK SLUICE INTERNAL DRAINAGE BOARD

## MINUTES

of the proceedings of a meeting of the Environment Committee

held at the offices of the Board on  
4<sup>th</sup> March 2025 at 2pm

### Members

Chairperson - \* Mr R Needham

* Mr W Ash	* Mr G Atkinson
* Mr P Holmes	* Cllr A Hagues
* Mr M Rollinson	* Mr P Robinson
* Mr R Welberry	* Mr M Taylor
* Cllr C Rylott	

\* Member Present

In attendance: Mr D Withnall (Chief Executive)  
Mr P Nicholson (Projects Director)  
Mr S Harrison (Maintenance Director)  
Miss E Askew (Environment Officer)  
Ms T Smalley (Lincolnshire Wildlife Trust)  
Mr A Davies (Greater Lincolnshire Nature Partnership)  
Mr J Emerson (Member of the Public)

#### 2436 Recording the meeting - Agenda Item 1

Board Members were informed that the meeting would be recorded.

#### 2437 Apologies for absence and welcome guests - Agenda Item 2

There were no apologies for absence.

The Chairperson welcomed and introduced guests; Ms T Smalley (Lincolnshire Wildlife Trust) and Mr A Davies (Greater Lincolnshire Nature Partnership).

#### 2438 Declarations of interest - Agenda Item 3

There were no declarations of interest.

#### 2439 Review the Environment Committee Terms of Reference - Agenda Item 4

All AGREED to recommend the Environment Committee's Terms of Reference to the Board for approval, with the below amendment:

- Paragraph 2 – Remove '*No one other than the*'... Committee Members, members of the public and Board Officers shall be entitled...

2440 Minutes of the last meeting - Agenda Item 5

The Minutes of the last meeting of the Environment Committee held on the 27<sup>th</sup> February 2024, copies of which had been circulated, were considered. It was AGREED that they should be signed as a true record.

2441 Matters arising - Agenda Item 6

There were no matters arising.

2442 To review the Biodiversity Action Plan (BAP) (Policy No. 11) - Agenda Item 7

The Committee RESOLVED to recommend that the Biodiversity Action Plan (Policy No. 11) be approved at the next Board meeting.

(a) BAP Action Progress Update

The Chief Executive noted that this is a new format of reporting on the Biodiversity Action Plan (BAP). It is written within the BAP that the actions within it will be reported on, which has not always happened comprehensively previously, and so this format of reporting pulls out the actions within the BAP and provides updates on them.

The Environment Officer presented this report, highlighting key points as follows:

5.2.1 Hedgerows – The Environment Officer informed the committee that the action of planting 0.5km of hedgerow has not yet been completed or even started. The cost of this to the Board would be high and the Board have not destroyed or caused loss of hedgerow from their works so there is no mitigation required. Therefore, more feasible alternative options will be looked at for inclusion in the next BAP. The difficulty of trying to find locations for hedgerow was noted due to the Board not owning land and not being able to plant alongside watercourses for maintenance access.

Ms T Smalley reminded the committee that the Board are not just required to mitigate for its activities, the Board has a statutory duty to enhance biodiversity as outlined in the Environment Act (2021) Section 102 - *duty to conserve and enhance biodiversity*.

The Chairperson questioned who suggested the 0.5km in the first instance? It was noted that it was written into the BAP when it was produced in 2021.

5.2.2 Reedbeds and Drainage Ditches - Reference was made to the aim of unmown toe of banks where risk and ditch profile allows. The Environment Officer noted that she is going to re-evaluate if the Board are doing this at all or doing it enough. The Environment Officer explained that the toe of the watercourse is the main habitat of water voles and so by leaving it unmown it is therefore not disturbing their home but it is also protecting the Board as it is unlawful to destroy a water voles' habitat.

The Chief Executive added that the workforce need to be informed of which drains to do this on, rather than leave it to their discretion.

It was acknowledged that the watercourse would need to be large enough so that leaving it unmown would not impede on the flow of water.

The Environment Officer confirmed that all the water voles would require would be from 10cm-30cm of vegetation and doesn't always need to be at the bottom of the bank towards the water necessarily.

5.3.2 Bats - Bat boxes are installed at every pumping station, however, due to the age and condition of these pumping stations this is now being re-considered due to the stations being need of repair works or replacement, which would prove more difficult if bats were nesting in them. There is no evidence of bats at any of them, therefore, the four pumping stations which have imminent works coming up, the bat boxes have been removed.

The Environment Officer therefore suggested that she will be looking at any alternative options for supporting bats, other than boxes on the pumping stations.

Mr P Holmes noted how difficult it is to get bats to use a box. Ms T Smalley noted that they are more successful if a call recording is used to attract them.

The Chief Executive referenced the four pumping stations earmarked for works already and a further seven stations for which are hoping to achieve grant funding imminently, which would make work more challenging if bats were present.

The Environment Officer noted that there has been bat activity around some of the pumping stations, but boxes not used. It being noted that one of them is Damford which is adjacent to a woodland. Bats nest in trees and so some of the Board's bat boxes could potentially be put on trees rather than pumping stations. Ms T Smalley noted that the Board could also diversify the plant life around the box which will attract pollinators and provide a food source for the bats.

5.3.6 Eel – The Environment Officer noted that the Board will need to start looking more closely at eel passage at pumping stations in the near future. Explaining that eleven of the Board's pumping stations eel pass exemptions expired in November 2024. Only five of these exemptions have been extended so far, the remainder are expected to be received shortly. The exemptions being received are coming back with new conditions to create a plan within twelve months and to have actioned that plan with dates varying from 2028 - 2038. The Board will therefore be working with the local EA Fisheries Officer to produce the mitigation plans as required.

Mr R Welberry questioned how it is known what eels there are? The Environment Officer noted that it is not currently, sightings are very rare, but DNA water sampling could be carried out to identify the presence of them. Ms T Smalley noted that the Fens East team have been doing eel DNA sampling so would be worth contacting them.

The Chairperson questioned if the new pumps being installed will be eel friendly? The Chief Executive confirmed that the work being done is not actually new pumps, just replacement of the motor. They can only be eel friendly if it is a full pump replacement as opposed to refurbishment.

5.3.9 Butterfly and Moth - The committee were informed that since the commencement of the alternate bank cutting, the butterfly site at Amber Hill no longer gets cut annually, as it has done previously. Those responsible for the butterfly site have requested that it be done annually. Some committee members were surprised that they wanted it cut, but it was felt it would probably be to help generate more growth.

This section is hand cut and would take around three hours. The committee were of the opinion that for the little cost and helping to enhance the butterfly population, to cut this annually.

(b) Moving forward with a BAP from 2026+

The committee were informed that the current BAP expires in 2026. The Environment Officer noted that there is a move towards Local Nature Recovery Strategies (LNRS), as opposed to BAP's. Lincolnshire County Council is the responsible body for the LNRS for Lincolnshire which is due to be published March 2026 (GLNP are leading on this for LCC).

The Chief Executive felt that the formation of a new BAP needs to be something that is produced from a working group, perhaps with bimonthly meetings, to build the new document. The Chief Executive added that ideally it would have tied in with the Lincolnshire LNRS, but if it is not due for publication until March 2026, this will be too late for any major influence on the Board's document.

Mr P Holmes questioned if it is necessary for committee members to have a paper copy of the BAP (in the interests of reducing printing). The Chief Executive felt that the committee would benefit from a paper copy for the initial review and then following that to review the actions within it rather than the document as a whole.

Ms T Smalley noted that Witham 4<sup>th</sup> IDB have just produced their new document which might be of use.

2443 To receive a report on environmental work completed in 2024/25 and recommendations for proposed works for 2025/26 - Agenda Item 8

The Environment Officer and Maintenance Director presented this agenda item, highlighting particular points as follows.

**Completed Works 2024/25**

Owl Boxes

2024 was a better year for Barn Owls than 2023, box occupancy was higher, however, brood size was still quite low (thought to be due to lack of food supply - water voles - as a result of the wet weather). There were 23 barn owls hatched and fledged this year and eight kestrel chicks.

Jackdaw numbers were also reduced, their occupancy was identified in fourteen out of twenty-five used boxes (56%), compared to 86% the previous year.

The Environment Officer noted that all replacement boxes are the new 'zig zag' style (Board currently has four) which are designed to allow owl entrance but prevent Jackdaw entrance. However, Alan Ball has advised that he has witnessed that the Jackdaws are already adapting to these new boxes and simply making two nests rather than one. However, it was noted that owls will claim a box and kick Jackdaws out if they want to use it as a nest.

Mr M Rollinson made reference to the lack of water voles, questioning if that, due to the better control of mink, this is helping increase water vole numbers. The Environment Officer confirmed this link and that it should then also help barn owls in the longer term. It was confirmed that the Environment Officer has seen water vole activity in the Board area.

#### Early Flailing Works

Early season bank flailing on our high-profile watercourses (approximately 67km) was completed along with the early season full cuts on the main river highland carriers (which has now replaced the health & safety cuts) for the Environment Agency (EA) through our Public Sector Co-Operation Agreement (PSCA). Our pumping station grounds maintenance cuts commence in March each year until the end of the growing season.

#### Control of Mink

There are now twenty-one mink rafts out in the Board's area, which are proving to be a success, with 84 mink caught in the last year.

Lincolnshire is still the area with the highest population of mink, but it now showing signs of reduction. Norfolk and Suffolk have now completely eradicated them. Ms T Smalley confirmed that the whole of Greater Lincolnshire is now covered, with the possibility of more funding being achieved.

The Chairperson questioned if 21 is enough for the size of the Board's area, it was confirmed that studies have been conducted which show it is enough, but if more funding was achieved, more rafts would be deployed.

#### RSPB Water Abstraction for Frampton Marsh

It was noted that there has been a request to extend the season into November. The Board view being that removing water is fine, as long as it is not discharged back into the system during times of high levels.

#### Operation Fly Swat

The Maintenance Director explained that the Board's Officer's are considering whether this service is still offering value for money. This year's contribution to Boston Borough Council was £4,000. However, the Board seem to be removing more fly tipping than the council. The council refuse to collect any fly tip if it is in a watercourse, even if it a small watercourse that would be easily accessible on foot to remove. If the Board recover the fly tip and then bring back to the depot for collection by the council, the council have certain criteria for collection such as not touching it if it has been in a watercourse or wanting the Board to load it with a machine. The Maintenance Director has suggested that the council's operatives have further training to enable them to remove more fly tips. The Board are therefore having the cost of removing it in a lot of circumstances, so therefore question if it is worth being part of the partnership.

It was confirmed that the operation fly swat partnership is made up of Boston Borough Council, Environment Agency, Welland & Deepings IDB, Witham 4<sup>th</sup> IDB, Lincolnshire Housing Partnership, Platform Housing and Longhurst Group. The Maintenance Director noted that contributions from the housing groups are less than what the Board contributes and yet a lot of the fly tip seems to be near their housing developments.

Photo examples were displayed on screen.

It was also noted that unless a fly tip is impacting on the conveyance of water in a watercourse, the Board has no responsibility to remove it. Going forward, it may be an option to remove it and leave on the side of the road or remove it and recover to the yard and have a skip in the yard for fly tipping, rather than contributing to the partnership.

The Chief Executive noted that the Board has spent an additional £4,000 in removal of fly tip costs in labour and plant, and of the opinion that it is no longer offering value for money, suggesting that the Board give notice that we won't be renewing from 01 April 2026.

Mr P Holmes noted that he believes the Board's contribution will be a substantial proportion of the contributions and will force the council to re-evaluate.

Mr P Robinson noted this concern that, as farmers, he was informed that if they removed a fly tip and left it on the side of the road, the farmer would be liable if somebody was to hit it.

It was also noted it could roll back into the watercourse if left on the side.

Cllr C Rylott noted that she has called the flyswat team out before and had a positive experience with them. But added that it shouldn't be a cost to the Board to dispose of it, suggesting that if we remove it because it is blocking a watercourse, to leave it on the side for collection by the council. Further suggesting that it be brought up at a Board meeting where there a lots of Boston Borough Councillor's present.

The Chief Executive noted that he is attending a separate meeting with the other IDB's this week, so will discuss with them their opinions, then suggesting it be raised with one of the appointed Board Members to try and progress the matter.

#### Wildflower Meadow

The Board own an area of land adjacent to Cooks Lock Pumping Station it is currently not managed but is listed to be managed as a wildflower meadow. The Environment Officer has now purchased the required seed, which is due to be sown this spring. It was noted how difficult it is to establish a wildflower meadow, with Ms T Smalley adding that it should be sown in October. The Environment Officer noted that she has been working on the guidance provided by the seed company, Boston Seeds. Ms T Smalley further noted the importance of cutting and removing at the end of July, noting that Lincoln Conservation Group complete this work for the Lincolnshire Wildlife Trust.

### Badger Setts

All of the workforce's Natural England licenses for working near badgers have been returned and approved.

There was one issue experienced this year where a member of the public reported to the Rural Crime Police that the Board had interfered with a badger sett during works. They came to site to investigate and reported it back to Natural England who issued a warning on the operative's licence. The Maintenance Director believed there had been no wrongdoing and tried to explain this to Natural England, but they were not willing to review photographs / statements etc.

Ms T Smalley noted that the lack of capacity for Natural England to engage may worsen as they are currently reducing staff and have a recruitment ban.

### Pollution

There have been no pollution incidents.

### South Lincs Pollinator Project

It was noted that the Board has identified a suitable site for this (Kirton Marsh drain) but it has not yet been progressed due to change of staffing at the Lincolnshire Wildlife Trust who are supporting this project. Ms T Smalley noted that Hannah Curtis has taken the lead on this project and will put her in contact with the Environment Officer.

### Artificial King Fisher Nests

Artificial King Fisher nests have been installed into the recent bank reprofiling at Rippingale. The nests are made from ICB containers and pipe, filled with sand and gravel, for them to burrow out their own nest within. There has been activity in the area already and will continue monitoring over the next year.

The Projects Director noted the only concern that the Board may damage the pipe sticking out of the bank, whilst doing routine maintenance with machinery. The Maintenance Director confirmed that the pipe has been left out of the bank quite prominently so that they are easily visible to the Board's machine operators. It was noted that they can also be GPS marked and a marker post should also be installed.

## **Proposed works 2025/2026**

### Biodiversity Surveys

The services of Tim Smith will no longer be required now the Environment Officer is in post. The Environment Officer explained that she will continue with the biodiversity surveys, with a particular focus on water voles and otters due to a lack of data on them currently. The Environment Officer noted she has already started on some of these surveys, displaying on screen camera footage of otter at Damford Pumping Station. The workforce have been educated on identifying signs of otter activity and has been added to their GPS systems for reporting.

Mr P Robinson noted that they have got otter surveys being carried out on land earmarked for infrastructure, suggesting that perhaps the data can be shared. Ms T Smalley noted that their data will be commercially sensitive until the environmental impact assessment and ecology report is published.

### Winter Bushing and Cleansing

Bushing and cleansing works will commence in November 2025, this hasn't been completed in the past year due to the focus being on the completion of the IDB Recovery Fund works.

### Summer cutting and vegetation clearance

An alternate maintenance programme continues to be followed, the Site Engineer has reviewed the watercourses to identify all alternate possibilities. The flail will commence early season cutting (main pump drains) from the beginning of April on a four-week cycle, prior to which, bird surveys will be completed.

### Grass Snake Nesting Sites

The budget for this has been increased due to plans to create and install two new artificial nests.

### Environmental Training

Now the Board has employed an Environment Officer, training will be led by her.

### Environment Budget 2025/26

The committee AGREED the budget as below:

Environmental and GIS Officer	£	25,879
Operation Fly swat partner	£	4,000
Fly Swat Labour & Plant	£	4,000
Fish Relocation for Winter Cleansing	£	2,000
Barn Owl Box Replacements	£	2,100
Tom Tom Repairs/Updates	£	1,700
Mink Control	£	1,600
Hedgerow Planting (BAP)	£	1,400
Grass Snake Sites	£	800
Wild Meadow Maintenance	£	700
Bat Survey Equipment	£	675
Pollinator Project	£	875
Slip Repairs Pollinator Seed	£	600
Training Courses	£	500
Biosecurity Decontamination Kits	£	400
Wildlife Camera Traps	£	400
WNNMP	£	400
GLNP	£	520
Lincolnshire Wildlife Trust	£	300

**£ 48,849**

#### 2444 To receive a report on Barn Owl Nesting Boxes for 2024 - Agenda Item 9

The Environment Officer presented the Barn Owl Report for 2024.

2445 To receive a report on the 2024 butterfly records from Windmill Lodge Butterfly Conservation and Wildlife area, Amber Hill - Agenda Item 10

The 2024 butterfly records from Windmill Lodge Butterfly conservation and wildlife area at Amber Hill were presented, the impacts of the bad weather being noted.

2446 To review the following policies:

(a) Policy No. 53: Biosecurity

The Environment Officer explained this is a new policy that the Board is required to have. It outlines how the Board will contribute to stopping the spread of Invasive Non-native Species (INNS). The workforce will require some more training on the identification of these species.

Mr R Welberry questioned if there are any American Crayfish in the Board's area? The Environment Officer confirmed that have been no sightings reported.

The Committee RESOLVED to recommend that the Biosecurity Policy (Policy No. 53) be approved at the next Board meeting.

(b) New Policy: Conservation

The Environment Officer explained that this policy is formed from the conservation statement that was displayed on the website. No changes have been made to what was displayed on the website.

Mr P Holmes noted the reference to 'English Nature' in paragraph 11, which is now Natural England. It was noted that once the new BAP is produced, this policy will be reviewed and updated in line with it.

The Committee RESOLVED to recommend that the Conservation Policy (Policy No. 54) be approved at the next Board meeting.

(c) New Policy: Working near badgers

The Environment Officer explained that this policy was requested by the Audit & Risk Committee, which outlines how the Board should operate around badgers and the reporting process etc.

Mr R Welberry noted the decline in hedgehogs, wild ducks, wild pheasants etc., questioning if there is any correlation between the badgers and this decline? Ms T Smalley noted that it is a possibility but there is no scientific evidence, adding that ploughing habitat will play a role in this (habitat fragmentation). Ms T Smalley noted that Mr A Davies will be able to investigate further whether there are any scientific studies on it.

Mr M Rollinson noted that another IDB had asked the Environment Agency (EA) how much they spend on relocating badger a year, to which the EA responded that they don't record that expenditure. It was noted that because the EA have to go through the Public Body tender framework it costs a lot more to do works than others not using the framework. The Chief Executive acknowledged this, noting that the Treasury rules cause the issue, noting that the Board put some works out for tender through the framework and were quoted £600,000 and have since been quoted less than £100,000 for the same works outside of the framework.

Reference was also made to Tumbly Quarry, where the EA were quoted £5million for the works through the framework, the works have now been completed by others for £500,000.

The Committee RESOLVED to recommend that the Working Near Badgers (Policy No. 55) be approved at the next Board meeting.

(d) New Policy: Working near Water Voles

The Environment Officer explained that this policy was requested by the Audit & Risk Committee, which outlines how the Board should operate around water voles.

The Committee RESOLVED to recommend that the Working near Water Voles (Policy No. 56) be approved at the next Board meeting.

2447 To receive a report from Tammy Smalley (Lincolnshire Wildlife Trust) - Agenda Item 12

Black Poplars project – Ms T Smalley noted a seed collection and propagation project with Black Poplars, questioning if anybody has any, nobody did.

Fens East Peat Partnership:

- *Baston Fen* - The peatland restoration works at Baston Fen are now complete.
- *Bourne North Fen* - This is still going through the planning permission process because of which the opportunity for works this winter has been missed and so have been pushed to September 2025 – March 2026. However, if this timescale is not met, then the funding will be lost. (The Board are partners in this work as the Board own the pond on the site and will be completing the works on behalf of the Wildlife Trust).
- *Mapping of submerged peats* – With the University of Lincoln. Ms T Smalley noted that at Bourne Fen, it is oxidising in the top 30cm. Aim is to try and establish how much Highways and carbon would be saved with less submerged peat oxidising. By getting more water into them, by keeping the drain level higher, this will stop the oxidisation. It was also noted that no till cover cropping would possibly help with surface peats.

National Strategic Infrastructure Projects:

- *South Lincolnshire Reservoir* – currently going through the Development Consent Order (DCO).
- *National Grid* – pylon and cable routes.
- *Geological disposal facility*
- *Carbon capture*
- *Hydrogen*
- *Desalination plants*
- *Solar farms*

Ms T Smalley outlined to the committee that Lincolnshire is changing at a more rapid pace than ever seen in her career before (on and offshore), highlighting that there can be major benefits if done correctly, but could also be major consequences if not done correctly. The Wildlife Trust therefore work strategically with the developers so that it benefits nature and the local people.

Reference was made to solar farms, with the Chief Executive noting that the Board are being very stringent on the 9 metre byelaw and crossing points on drains etc. and the general response is that they are willing to comply.

Mr R Welberry questioned if hedgerows are planted around solar farms? Ms T Smalley noted it is dependent on the landscape, but some do, and they also take advice on the best suited seed mix for underneath and around. There is also a strategic approach to ground nesting birds, whereby developers contribute to one 'pot of money' which will be used to purchase land / work with a landowner to do some large-scale mitigation for ground nesting birds. A grant is also trying to be secured around intercropping with solar farms to have food production within them.

The Chief Executive noted that usually solar farms retain their agricultural land status and therefore continue to pay Board drainage rates as opposed to council business rates. However, there is one recently that has removed its agricultural status and therefore pays business rates which are a lot more than drainage rates.

Green Investment in Greater Lincolnshire – This will be going live in the new financial year. This will bring together buyers of biodiversity, water and carbon credits with sellers. The following example was given; an agreement has just been made between a developer and landowner for a low integrity habitat short grassland in medium condition for £27,000 per unit (3-4 units per ha) for a thirty-year period.

2448 To receive a report from Aiden Davies (Greater Lincolnshire Nature Partnership) - Agenda Item 13

Mr A Davies gave an update on Biodiversity Net Gain (BNG) as follows, starting by giving a brief introduction of the Greater Lincolnshire Nature Partnership (GLNP) and its policy and strategy priorities, followed by an introduction to BNG as follows:

- Introduced in the Environment Act 2021
- Requires most major development to provide a 10% uplift in biodiversity
- Onsite, offsite units or statutory credits
- Is calculated using the Statutory Biodiversity Metric
- Uses habitat as a proxy for biodiversity
- Should be secured and managed for 30 years
- Applies to terrestrial habitat in England up to and including intertidal habitats
- Most Town and Country Planning Act development
  - Small sites (under 1ha) also require BNG
  - Late 2025 Nationally Significant Infrastructure Projects
- Does not override the mitigation hierarchy

How BNG is measured and calculated:

- Statutory metric
- What type of habitat – a proxy for biodiversity
- Area or length of habitat (not interchangeable)
- Distinctiveness (Very low to very high)
- Condition (Poor to good)
- Strategic significance (Low, medium, high, based of the LNRS)
- Time to condition – enhancement and creation only
- Spatial risk – enhancement and creation only
- Difficulty – enhancement and creation only

Commercial developments where floorspace is under 1000m<sup>2</sup> or total site area is less than 1ha, are also required to achieve BNG. They will be required to use the Small Sites Metric to calculate biodiversity units.

Statutory Credits:

- National landscape scale Nature Based Solution
- Priced to encourage onsite and offsite BNG units
- Metric weighted to require 2 credits for every one unit
- Could result in a local biodiversity gain

Must follow BNG Hierarchy:

1. Avoid adverse effects to onsite habitat with a habitat distinctiveness score of 6 or more (High or Very High)
2. If the effects can't be avoided mitigate against them
3. If they can't be mitigated against then enhance onsite habitat
4. If onsite habitat can't be enhanced create onsite habitat
5. If onsite creation isn't possible then offsite biodiversity units should be secured
6. Where offsite biodiversity net gain isn't possible then statutory credits should be purchased as a last resort

The Local Nature Recovery Strategy (LNRS) will dictate strategic significance for biodiversity net gains

- offering the opportunity for a 1.15 uplift in the unit value of habitats created
- But also increasing the cost of destroying existing strategic habitats  
In turn biodiversity net gain sites will contribute to achieving the measures mapped out by the LNRS.

Considerations to make:

- Do we have landholdings suitable for offsetting area-based biodiversity units? (*This would involve the creation or enhancement of habitats*)
- Can we undertake creation or enhancement of watercourses and their riparian zones?
  - *Examples of creation include – installation of new ditch or canal where this doesn't impact baseline value.*
  - *Examples of enhancement include - removing culverts, restoring natural alignment, enhancing the riparian zone and removal of encroaching features (anything that impacts the natural process of riparian zone).*
  - *Note that established footpaths, towpaths and river crossings are exempt from being considered encroachment.*
  - *Riparian zones = 10m from top of bank for priority rivers, other rivers and streams and canals. 5m for Ditches. Not applicable for culverts*
- Can you plant new or enhance any hedgerow on your landholdings?

Habitat Banking: Generating BNG Units for sale to developers

- Metric and what work you will undertake
- Section 106 or Conservation Covenant
- Statutory biodiversity gain register and local markets
- Conservation covenants require land registry too
- Sale directly with buyer or through a market or habitat bank broker
- Statutory register again
- 30 years

Bespoke habitat creation: creating certain habitats for bespoke compensation of development

- Metric and what work you will undertake
- Through discussion with developers
- Section 106 or Conservation Covenant
- Statutory BNG register (Land Registry?)
- 30 years

There are other opportunities to leverage funding through management of land:

- Voluntary biodiversity credits – potentially stackable, but unstandardised, likely to require large areas of land
- Voluntary carbon credits – lack of standardization, payments considered to be too low by many
- Water credits – relatively new, water quality and flood risk markets
- Countryside stewardship – targeted actions relating to specific locations, features and habitats
- Landscape recovery – bespoke, longer-term, larger scale projects to enhance the natural environment

IDBs may find themselves having to offset their own impacts.

Development which requires permission under the Town and Country Planning Act 1990, unless:

- Subject to Section 90 of the Act - Development with Government Authorisation
- Granted through a Local Development Order
- Permission sought prior to 12th February 2024

Exemptions also apply where:

- Less than 25m<sup>2</sup> of non-priority habitat is impacted
- Less than 5m of linear non-priority habitat impacted
- Developments undertaken for the purpose of fulfilling the BNG planning condition for another development

Nationally Significant Infrastructure Projects granted under Planning Act 2008 will be required to provide net gains for biodiversity from late 2025.

Pre application

- Site selection and design- follow mitigation hierarchy, use biodiversity metric to support this
- Calculation of BNG units- calculate before and after development, if BNG cannot be achieved then off site should be used

Predevelopment

- BNG Plan (though preferred pre application)- includes info such as species factors, habitat management plans, and how BNG will be managed and maintained
- Secure BNG (Section 106 on conservation covenant)- off site BNG will need to be secured for a minimum of 30 years
- Register any offsite BNG with the Biodiversity Gain Site Register

#### Commencement of development

- Manage, monitor and report- any land delivering BNG will need to be managed, monitored and reported on for the duration of the net gain agreement

BNG shouldn't overshadow the biodiversity duty in Section 40 of NERC Act 2006, strengthened by amendments laid out in the Environment Act 2021

1. Consider what you can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on your consideration.
3. Act to deliver your policies and achieve your objectives.

Having regard for:

- Local Nature Recovery Strategies – Responsible Authority
- Species Conservation Strategies – Natural England
- Protected Site Strategies – Natural England

Ms T Smalley noted that there is demand from developers to buy BNG.

Ms T Smalley confirmed that 0.5km of native hedgerow with standard trees which would provide 3-4 hedgerow units which could be valued at £20,000 - £30,000 per unit. Mr W Ash questioned if existing hedgerow would contribute? Mr A Davies responded that only if it was being enhanced in some way. It was also confirmed that there is a minimum length of 25 metres.

Mr M Rollinson questioned, in light of the government's target to build so many houses, whether BNG may get pushed aside if it is delaying the planning permission process? Ms T Smalley noted that it would have to be completely overturned. Ms T Smalley added that the general consensus is that developers are accepting it and factoring it in, the issue being the lack of supply chain and lack of trained Ecologists for verification and enforcement.

#### 2449 To receive a report on the Board's CO2 Emissions - Agenda Item 14

The Environment Officer presented a report on the Board's CO2 Emissions (from vehicle movements only), 13,206.4kg for the calendar year 2024, for information purposes.

There being no further business the meeting closed at 16:07.