

Communities Scrutiny Commission Supplementary Information



Date: Tuesday, 26 April 2022

Time: 4.30 pm

Venue: The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

Distribution:

Councillors: Henry Michallat (Vice-Chair), Martin Fodor (Chair), Amirah Cole, Barry Parsons, James Scott, Hibaq Jama, Emma Edwards and Gary Hopkins

Issued by: Johanna Holmes, Scrutiny Coordinator

City Hall, Bristol, BS1 5TR

Tel: 0117 9036898

E-mail: democratic.services@bristol.gov.uk

Date: Tuesday, 26 April 2022



Supplementary Agenda

7. Public Forum

(Pages 3 - 11)



Communities Scrutiny
Commission
26th April 2022
Public Forum



Public Forum Questions

Ref	Name	Topic
PFQ 1 - 2	Suzanne Audrey	Agenda item 11. Ecological Emergency Action Plan 2021-2025 - Progress Report & Agenda item 12. Community buildings, community asset transfers, community facilities (open session)
PFQ 3 - 9	Bristol Tree Forum	Agenda item 11. Ecological Emergency Action Plan 2021-2025 - Progress Report

Public Forum Statements

Ref	Name	Topic
PFS1	Bristol Tree Forum	Agenda item 11. Ecological Emergency Action Plan 2021-2025 - Progress Report
PFS2	Bristol Tree Forum	Agenda item 11. Ecological Emergency Action Plan 2021-2025 - Progress Report *Plus the appended 'request for further information' document is for information purposes.



Public Forum Questions

Questions 1 – 2 Suzanne Audrey

PF Question 1:

Reference: Agenda item 11. Ecological Emergency Action Plan 2021-2025 - Progress Report

"We have translated the goals of the strategy into corporate performance targets

Corporate: Increase the City's tree canopy cover

Progress will record trees planted rather than canopy cover because obviously that takes many years for the trees to mature."

Background

Given the number of Ash trees that we are losing due to Ash dieback, we must preserve as many established trees across the city as we can. At the moment developers are unnecessarily felling established trees on some building sites (e.g. on Mead Street). I am extremely concerned about 'trees planted' as an indication of progress. 'Trees planted' is not a measurement of tree canopy. It would be necessary to check on the growth of trees planted, and to factor in the number of trees being removed, for this to have any meaning.

Question

Given that we have declared an ecological emergency, could this performance target measurement be reconsidered and changed to something that is a more meaningful in terms of measuring the tree canopy?

Q1 Officer Response

A Bristol Tree Strategy is in preparation – this will address a method to monitor Bristol's tree canopy.

PF Question 2:

Reference: Agenda item 12. Community buildings, community asset transfers, community facilities (open session)

Background

At the time of writing this question (mid-day 20th April) the report for the open session on community buildings, community asset transfers, and community facilities is not available to the public. However, the website indicates that public questions need to be received by 5.00pm 20th April at the latest. This does not give sufficient time for the public to read and understand the report, and formulate questions.

Question

Given the likely importance of this agenda item to local communities, why was this report not available with the other papers that have already been uploaded onto the website?

Q2 Officer Response

Apologies that this report was published late. It was expected that the report would likely be slightly late. This report is a bespoke scrutiny report that took officers some considerable time to produce. The two Easter Bank Holidays in April meant the publishing date was earlier than would usually be the case (12 days ahead of the meeting). The paper was published a week ahead of the meeting and a notice was put up on the meeting webpage to say that the Public Forum deadline had been extended until the Friday 22nd April at 4pm.

Questions 3 – 9 Bristol Tree Forum

Item 11 - Bristol City Council Ecological Emergency Action Plan 2021-2025 - Progress Report

At section 2.2 it states: "Corporate: Increase the City's tree canopy cover Progress will record trees planted rather than canopy cover because obviously that takes many years for the trees to mature."

PF Question 3:

Can the Council confirm that it still endorses the One City plan to double tree canopy cover by 2046?

Q3 Officer Response

The Council endorses the One City plan target to double Bristol's tree canopy cover by 2046. Cabinet met on the 8th February 2022 to considered the report '[Tree Strategy and Tree Planting Plan](#)', giving its [support](#) to the development of a Bristol Tree Strategy and an associated Tree Planting Plan, noting that this work will '... set out how the city will help respond to both ecological and climate emergencies through its ambition to double its tree canopy cover. The Strategy will drive our approach, direct and inform partners and stakeholders and identify how funding will be achieved. The Planting Plan will set out where trees can be located, ensuring all communities experience the environmental and health benefits that trees afford.'

PF Question 4:

If it does, what baseline year and tree canopy cover percentage is being used to measure progress towards the 2046 target?

Q4 Officer Response

A Bristol Tree Strategy is in preparation – this will address a method to monitor Bristol's tree canopy. Currently we are looking at two methods to monitor tree canopy: i-Tree Canopy and Blue Sky, the former uses point sampling, the latter uses aerial photography and tree canopy recognition software. These different approaches are coming up with similar figures for Bristol's tree canopy. We should agree a method that also works across the West of England and can be repeated reliably.

PF Question 5:

Whatever your answers to the questions above, do you agree that the council ought separately to record the number of trees removed, and their sizes and use this to calculate net trees planted?

Q5 Officer Response

Where the Council holds data, the number and crown area of trees felled by the council over the period April 2021 – March 2022 will be included in the Council's next annual tree planting report for this period.

PF Question 6:

Will the reported planting figures (net or gross) for Bristol be broken down by tree size and ward?

Q6 Officer Response

The Council's annual tree planting report currently states (or maps) tree planted by ward, see [here](#). In the 2021-22 report this will include a summary of trees felled by the council by ward.

2.3 Expanding the Climate and Ecological Emergency Programme

Biodiversity Net Gain Framework and action plan

When Schedule 14 of the Environment Act 2021 comes into force sometime in late 2023, grants of planning permission will be subject to a condition to secure that the biodiversity gain objective is met and need to show at least a 10% Biodiversity Net Gain (BNG).

PF Question 7:

What percentage does the Bristol LPA currently accept as the minimum BNG required for planning applications?

Q7 Officer Response

BNG does not become a legal requirement until November 2023 and Government have recently consulted on draft regulations. The City Council does not have an interim requirement for a percentage of BNG on development sites, therefore a minimum BNG for planning applications does not currently apply.

PF Question 8:

What types of planning application are currently required to show BNG?

Q8 Officer Response

Following on from the response to Q7, no specific types of planning applications are currently required to show BNG. The policies of the adopted Local Plan and also the NPPF are applicable, however.

PF Question 9:

Will planning applications where BNG evidence is required but has not been provided nevertheless be validated?

Q9 Officer Response

Further to the responses to Q7 and Q8, specific evidence regarding BNG is not currently required for planning applications in Bristol.

Public Forum Statements

PF Statement 1: Bristol Tree Forum

Statement on 2.3 Expanding the Climate and Ecological Emergency Programme - Biodiversity Net Gain Framework and action plan

Given that the Council has declared an ecological emergency, we see no reason why it should not now resolve to instruct the Local Planning Authority (LPA) that all new planning applications demonstrate at least a 10% Biodiversity Net Gain (BNG) even though the schedule 14 provisions of the Environment Act 2021 (EA) have not yet been implemented.

Since at least 2017, developers submitting a planning application for a site which is in or adjacent to any of the following, have been required to submit a biodiversity survey and report¹:

- A European Site (i.e., SAC/SPA/Ramsar)
 - A Site of Special Scientific Interest (SSSI)
 - A National Nature Reserve (NNR)
 - A Site of Nature Conservation Interest (SNCI)
 - Regionally Important Geological Sites (RIGS)
 - A Local Nature Reserve (LNR)
- Producing a biodiversity survey and report is meaningless without an accompanying BNG calculation. This compares the pre-development baseline habitat with the post-development habitat and calculates the resulting net gain (or loss). Despite this, several recent applications that meet the above criteria have been validated without providing any biodiversity evidence. The recent application at St Christophers School Westbury Park Bristol BS6 7JE ([22/01221/F](#)) is one example, as are the two applications concerning the Public Conveniences Circular Road Sneyd Park Bristol BS9 1ZZ mentioned below.

In the meantime, the current BNG policy of the LPA remains unclear despite our requests for it to be clarified.

When we were commenting on the recent application to develop the former railway siding near Clanage Rd ([20/01655/F](#)), we were advised by the planning officer that the LPA would accept any BNG as long as it showed no net loss. However, in the recent grant of planning approval to develop Open Space Kingswear Road Bristol BS3 5JF ([21/00824/FB](#)), the LPA accepted a BNG loss of 19% despite the site being part of an SNCI. The officer's report stated that '*An officer was verbally consulted and noted that while this figure is not ideal, there is no such legally binding legislation in place currently to refuse the scheme on this basis.*'

This approach appeared to be endorsed by the Head of Development Management when they were advising Development Control Committee B on the pending application to build a new café on the Public Conveniences Circular Road Sneyd Park Bristol BS9 1ZZ ([21/06762/F](#)). When schedule 14 of the EA takes effect, grants of planning permission will be subject to a condition that the biodiversity gain objective is met and needs to show at least a 10% BNG.

This has been endorsed by the Council in the recently adopted [Ecological Emergency Action Plan 2021–2025](#), which states at page 13:

***Biodiversity Net Gain** of 10 per cent net gain will become mandatory for housing and development, meaning habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a 'biodiversity gain plan' alongside usual planning application documents. The local authority will assess whether the 10 per cent net gain requirement is met. If net gain is not achievable on-site, offsite habitat creation/enhancements will have to be agreed.*

****Please also note the 'additional information requests to officers' document appended below which the Bristol Tree Forum have also requested is made public and is being responded to by officers separately.***

PF Statement 2: Bristol Tree Forum

Section 2.2 of the Ecological Emergency Action Plan progress report suggests that progress towards increasing tree canopy cover will be monitored ONLY by recording trees planted. This is as informative as a bank statement with a credit column but no debit column or a running balance. A single felled mature tree can require replacement with 50 new saplings to comply with the 2046 canopy target. Similarly, the 3000 trees currently threatened by development in Bristol might require 150,000 replacement trees. Therefore, reporting trees planted but not trees felled to monitor progress is inadequate, and provides misleading information in that it may give the impression that the tree canopy is growing when in fact it is shrinking. Also, a single city-wide figure would not allow monitoring of progress in reducing environmental inequality in the most deprived areas of Bristol, such as St Paul's, with its 7% tree cover compared with 25% for areas such as Clifton and Stoke Bishop. This is particularly important in central areas of the city where tree cover is essential for ecological connectivity and climate resilience. The Bristol Tree Forum suggest that data on Council owned and development trees felled should be extracted from BCC records and development arboricultural reports to provide more accurate progress reports.



Ecological Emergency Action Plan - Update April 2022

Bristol Tree Forum requests and questions

Bristol City Council Ecological Emergency Action Plan 2021-2025 - Progress Report

Biodiversity Net Gain (BNG) Framework and action plan (A3, A4, C2, E25, E26)

We need to respond to the new legal requirements from the Environment Act. We therefore propose to create a BCC BNG Framework enabling the council to be clear on:

- *Planning policy and processes for BNG, e.g. Practice Note and guidance*
- *BCC policy and process for investment in BNG on council land*
- *Mechanisms for achieving BNG for Council Projects*
- *Training for BCC staff on BNG*

A.1

Responded to government consultation on Local Nature Recovery Strategies and Biodiversity Net Gain outlining need for additional resources and need to provide clear guidance on how links with existing and review of current planning policy.

Please provide a copy of the Council's response.

A.2

Active participation in Biodiversity and Green Space working group regarding biodiversity metrics, Green City Accord and Urban Green Plans. Successful bid to Biocities Innovator challenge for NHC nature citizen science work. Also submitted challenge to World Data League to map Bristol dark ecological network. Shared pesticide work with Core Cities to share learning.

Please provide more information about the participation.

A.4

Endorsement of an organisational framework and action plan approach to Biodiversity Net Gain (BNG) implementation

Please provide a copy of the organisational framework and action plan produced.

C.1

Develop an in-house training programme on biodiversity legislation and ecological emergency for officers across all departments and levels, and councillors including training module.

Learning modules created and uploaded to Learning Hub - LGA Biodiversity for councils and in house created 'micro-learns' @ 10-15 mins each with tasks



Will these be made available in the public domain? There is an urgent need for community and stakeholder training.

C.2

Coordinate and facilitate in house workshop sessions on Biodiversity Net Gain requirements, delivery (including habitat banking, monitoring, assessment) and opportunities for the Council to deliver nature recovery through BNG.

Proposed to create BNG Framework, as part of EE Reserve Funding that will include identifying training needs.

Will stakeholders be consulted?

D.1

Working Group commissioned options report. Report completed August 2021. Commissioning of ecological modelling completed with work expected to start May 2022.

Please provide a copy of the August 2021 report and the ecological modelling.

D.2

One City EE Wildlife Index Working group formalised in June 2021 have drafted list of species. Task group (Univ of Bristol/BRERC/BCC) now collating data from various sources.

Please provide a copy of the list of species and the 'various sources' referred to.

E.16

Contribute officer time to NE National GI Standards Framework WoE Pilot Nov 2020 - Feb 2021 and beyond to further test and pilot WoE JGIS, National GI Standards, Biodiversity Net Gain metric, Building with Nature.

Completed - Officers attended national workshops with regard mapping and user guide being developed by NE. NE Framework due to launch April 2022

What is the launch date? Will the mapping be available in a GIS format?

E.21

Progress Bedminster Green River Restoration project -River restoration to improve the Malago riverscape for amenity and biodiversity gain, as well as flood risk management. Associated with the Bedminster Green regeneration.

The Bedminster Green River Restoration project is progressing well and is currently in detailed design stage.

Please provide detailed information about this. We have asked for this on several occasions see:



<https://bristoltreeforum.files.wordpress.com/2022/01/plot-5-bedminster-green-btf-comments.pdf>

&

https://www.whatdotheyknow.com/request/request_for_documents_relatin_g_t_9#outgoing-1285494

E.24

Commission survey of BCC Sites of Nature Conservation Interest (SNCI) to inform evidence for ecological network and Biodiversity Net Gain work.

Completed: *Survey completed and being used to inform opportunities for nature in Parks and Green spaces.*

Is this correct? Have all the SNCIs in Bristol been resurveyed? If so, please provide copies of the surveys and a GIS map of all the sites surveyed. Has the information held on SNCIs by BRERC been updated?

E.29

Embed Biodiversity Net Gain approaches within capital programme and within corporate projects at inception and through all phases. Benchmark key projects using e.g. Building with Nature.

What steps are being taken to incorporate BNG in the emerging Local Plan?

E.31

Ecological enhancements will be a key part of the capital programme development process. Identify and implement ecological enhancements in new capital projects.

Beta version of new sustainability framework includes objectives and metrics to support ecological enhancement on capital projects. Framework is about to be piloted on a number of projects being delivered by the Strategic Partner.

Please provide a copy of the 'Beta version of new sustainability framework'. Please identify the projects being piloted.

H.1 - H.3

Share data

Will this data be made available in the public domain in machine-readable/GIS formats?