

Public Document Pack

High Peak Borough Council



COUNCIL AGENDA

Date: Wednesday, 25 October 2023

Time: 7.15 pm

Venue: The Octagon, Pavilion Gardens, Buxton

You can view the agenda online by using a smart phone camera and scanning the code below:



Please find below an additional report which was unavailable when the agenda was published.

5. Questions of which notice has been given **(Pages 3 - 10)**

MARK TRILLO
EXECUTIVE DIRECTOR & MONITORING OFFICER

This page is intentionally left blank

HIGH PEAK BOROUGH COUNCIL

Council

25 October 2023

TITLE:	Questions of which notice has been given
CONTACT OFFICER:	Linden Vernon – Head of Democratic Services
WARDS INVOLVED:	Non-Specific

1. Question received from Carole Hallam for the Executive Councillor for Community Safety and Planning:

“Please can the Council advise how the number and percentage of empty properties will inform the latest emerging assessment of housing needs as part of the High Peak Local Plan review?”

Response from the Executive Councillor:

“The High Peak Housing and Economic Needs Assessment (2022) considers the overall housing need for High Peak up to the year 2041 and the different types of housing required. Part 2 of the report looks at the current housing stock and pages 113-114 consider vacancy rates (empty properties).

Link to document: https://www.highpeak.gov.uk/media/7530/High-Peak-HELNA-ISSUE-12.09.22/pdf/61492_High_Peak_HELNA_ISSUE_120922.PDF?m=1663773285323

The report notes;

8.56 As of 5th October 2020, the Government recorded a total of 1,312 vacant dwellings in the Borough. Of these dwellings, 617 were classified as ‘long term’ vacant properties (i.e. they had been vacant for longer than 6 months). Homes become vacant for many reasons, including natural churn in the market (e.g. a void between tenancies or short-term vacancies as people move home). However, long term vacancies may indicate either structural weaknesses in the housing market (e.g. low demand) or may be reflective of problems with the stock of housing (e.g. condition or type). Of the 1,312 vacant dwellings, 321 are categorised as second homes (24.5%).

8.57 Across the Borough, overall vacancy rates remained between 2.4% and 3.7% over the period 2004 to 2020. The overall vacancy rate has been relatively stable

over the period as shown in Figure 8.19. The vacancy rate peaked in 2012 at 3.7% and has since remained broadly around 3%

The latest published figures for 2022 show 1,279 vacant properties of which 462 were long term vacant.

It is normally assumed that a vacancy rate of around 3% is normal (required) for the market to operate. The prevalence in High Peak is around this figure.

In order for us to count vacant properties as 'potential supply' to count towards future requirements, we would need to demonstrate;

- 1) An excess of (long term) vacant properties, and
- 2) A programme of interventions to bring empty properties back into use, or
- 3) A sustained trend of falling vacancy rates with evidence to show this is likely to continue."

2. Question received from Jane Reynolds for the Executive Councillor for Community Safety and Planning:

"Given that the Local Plan is now under review, will the council be taking the opportunity to include measurable progress indicators for combatting climate change in the revised plan and will the plan include requirements for new developments that will make them part of the plan to combat the climate and nature emergencies, for example, use of sustainable building techniques and designs, provision of renewable energy sources onsite and implementation of grey water recycling?"

Response from the Executive Councillor:

"The NPPF (National Planning Policy Framework) identifies that plans are required to be in favour of Sustainable Development and as such the plan will be in line with this and will use evidence that the Council has produced and national government regulations and targets to meet its legal requirements.

It is worth noting that planning is not the only system to this challenge and changes to building regulations also play a part in climate change including Part L setting standards for the energy performance of new and existing buildings.

The Local Plan Steering Group has recently been reconstituted following the elections and options following the Early Engagement public consultation exercise will be presented to the group. These will include the extent of the Local Plan review and any changes to the scope of the Plan or its strategic direction."

3. Question from Daniel Wibberley to the Leader of the Council:

"The motion from Cllr. Joanna Collins and Cllr. David Lomax on today's agenda demands specific actions from the Council. This all well and good and I express my full support for this motion.

However the public has not been kept informed of what the Council may or may not be doing in the field of climate change and biodiversity right now, and meetings are not regular.

Thus the Minutes of the Climate Change Committee's latest two meetings are not on the website, and the Committee last met in February of this year, 8 months ago.

Important parts of any drive to achieve progress on tackling climate change is consistency, and openness with the public and all stakeholders. The obvious way to achieve this is to publish minutes of meetings and to have regular meetings, as specified in the motion.

I would welcome comments on this. Specifically:

- a) What are the official protocols currently in force for publishing minutes of council committees?
- b) If they are deficient, what action will the council take to rectify this matter?
- c) What actions will the council undertake to publicise its actions and plans in ways beyond publication of the minutes?

I would remind members, if such a reminder is necessary, of the importance of **taking every step which lies within your powers** to reduce to the absolute minimum the damage which is already upon us, and which is going to be inflicted in coming days and years on those alive now and on all our descendants, all over the world, by the climate disruption facing the planet, **and to take these steps without any delay.**"

Response from the Leader:

"Minutes of Council meetings are published within the agenda of the next committee/working group. Councillors formally propose and second the approval of minutes as being a correct record or raise any inaccuracies which are then corrected. Meetings of the Climate Change Working Group have been webcast and regular publicity of activity is promoted via press and social media releases etc."

4. Question from Ian Bowns, Chair, Transition Buxton CIC to the Executive Councillor for Climate Change and the Environment:

"What progress has been made on the implementation of the Climate Change Action Plan Part 2, and when will this be reported on to the public?"

Response from the Executive Councillor:

"The Council is committed to reporting annually on performance towards delivery of the Climate Change Action Plan. The latest report is being produced and will be delivered to Elected Members on Wednesday 8th November. The report will also be published on the Council's website."

5. Question from Jeremy Wight to the Leader of the Council:

In light of the fact that High Peak Borough Council has declared that we are in a climate emergency, why has the Climate Change Working Group not met since last February? When is it next due to meet?

Response from the Leader:

“The Climate Change Working Group is scheduled to meet on November 8th. The Climate Change Working Group was put on hold because of the local elections in May and development of the new Borough Plan along with discussions around joint working with our alliance partners. This does not mean that the Council has stopped taking action and the Council’s internal officer group has met monthly throughout the year to drive the Council’s response to the climate change emergency forward.”

6. Question from David Purchase, Chair, Buxton Field Club to the Leader of the Council:

Buxton Field Club (BFC) is actively engaged in promoting biodiversity and is developing a map of biodiverse sites within and around Buxton. We would like to ask the following question of the Council Leader at the meeting on 25th October, regarding the motion Building Action for Climate and Biodiversity across High Peak.

“With regard to assessing developers’ plans for Biodiversity Net Gain (BNG), what steps and provisions will the Council be making for ensuring that:

1. The biodiversity gains claimed by a developer are fully delivered, located locally and enforced for the required 30 year period so that the BNG claimed will truly benefit biodiversity in Buxton and the wider High Peak; and
2. The relevant officers for HPBC have sufficient expertise and resources to reliably and objectively assess and enforce the developers’ claims for BNG?”

Response from the Executive Councillor:

"There are multiple elements to this question, some of which are difficult to definitively answer as the Government has not yet published the necessary regulations and guidance. This is now promised 'in November'.

This guidance is due to include details of the statutory biodiversity metric, a draft biodiversity gain plan template, the Habitat Management and Monitoring Plan template and a package of Biodiversity Net Gain guidance that sets out further advice for landowners, developers, and Local Planning Authorities around their role and responsibilities in delivering mandatory Biodiversity Net Gain. The Council will consider the guidance and regulations once they are available and develop the Council's response to those requirements.

In the meantime, officers advise the following additional comments:

1. Biodiversity gains 'claimed' by a developer :
 - The Baseline position and future upgrades will be assessed using the Government's BNG Major development or Minor development Metric (as appropriate).

- The Metric is a highly technical spreadsheet that records the amount and quality of ecological features (land area, linear features and aquatic) and ascribes a numeric value to each to give a total for each site.
- The Metric must be completed by a competent person.
- The Metric provides a baseline for the development site and any separate uplift 'receptor' sites.
- The Metric will calculate the expected BNG score post-development and the required number of BNG Credits that must be created on a receptor site or purchased through the Government's trading scheme.
- Developers must submit 'biodiversity gain plans' (BGPs) to set out proposed habitat types on-site and off-site (again using the Metric). These will be assessed by the Council as part of the assessment of any application.
- The appropriateness of the assessments/proposals will be assessed using in-house and external advisors as necessary.

2. Gains delivered locally :

- Ultimately, this cannot be guaranteed, as developers will be free to choose how they meet the legal requirements.
- The Metric does provide a weighting for the proximity of mitigations to the development site, so on-site mitigations score higher than off-site and nearby scores higher than remote mitigations. As an option of last resort, the Government will operate a national BNG Credit scheme. The cost for these national credits will hopefully be set sufficiently high to act, as intended, as the option of last resort as if priced too low, they will effectively set a ceiling for the cost of local mitigations.
- The Local Plan cannot compel the use of local mitigations but can seek to encourage this in line with the HP Plan for Nature.
- Where suitable, local authority land may be offered for BNG uplift mitigations.

3. Enforced for 30 years :

- Delivery and maintenance of the uplifts will be secured through
 - Conditions
 - Legal agreements
 - Conservation covenants

4. Sufficient expertise and resources to reliably and objectively assess and enforce the developers' claims for BNG?

- The BNG Metric needs to be completed by a 'competent person'.
- Planning officers dealing with the BNG submissions must be trained sufficiently to understand the basics of the assessed baselines, assessed impacts and uplifts. Beyond this, as with other technical supporting documents (flood risk/noise / etc.), they require advice from qualified specialists. This may be secured in-house or procured via service level agreements from suitable advisors."

In addition, the Council has commissioned Derbyshire Wildlife Trust to produce a Plan for Nature for High Peak, which includes assessing potential biodiversity net gain sites, and recruited a new Biodiversity Officer.

7. Question from Rachel Purchase to the Executive Councillor for Climate Change and the Environment:

“Given that the Council has commissioned a Plan for Nature for the High Peak, what are its commitments in terms of budget, resources, staff training and community collaboration to ensure that it delivers more, joined up, biodiverse areas across the Borough?”

Response from the Executive Councillor:

“The Council has commissioned Derbyshire Wildlife Trust to produce a Plan for Nature for High Peak. The Council has received a draft report and will be presenting the report to Elected Members before the end of the calendar year. This will include setting out the Council’s next steps for conserving and enhancing biodiversity across the Borough. The Council has recruited a new Biodiversity officer who joins the authority at the end of November to provide additional capacity to take this agenda forward, which further demonstrates the Council’s commitment to biodiversity.”

8. Question from Councillor Paul Hardy to the Executive Councillor for Regeneration, Tourism and Leisure:

“I just wondered how prudent it was to spend £55,000 in March on refurbishing the Simmondley play area only to dig part of it up again this week, 6 months later, to install some more equipment at a cost of nearly £18,000.

The original project was just finished before the elections, so maybe it was a vote winner, but even though I am not a councillor in that ward, but merely a resident I have been asked several times why our council couldn't have done the job properly in the 1st place.

I realise that this all may have been funded with S106 monies, but wouldn't it have been much more cost effective to have sorted out the project at the onset .”

Response from the Executive Councillor:

This administration has prioritised the improvement of our parks and play areas, after underinvestment in previous years. As part of this we introduced the Council's first ever Parks Strategy in late 2021, with park development action plans and a dedicated fund pot to help deliver this.

The overall improvement to the play area in Simmondley following this refurbishment has been significant, with many children and families enjoying the much improved facility.

It has been necessary to deliver the Simmondley play area improvement project in two phases due to supply chain/manufacturing delays beyond the Council's control. This is something which has affected a number of projects across the country. To clarify, Simmondley's play area has not been dug up since the major refurbishment in April. The second phase has only consisted of minor works to replace the existing roundabout (a legacy item predating the refurbishment project earlier this year) with

an upgraded, flush fit and fully accessible version. It was not possible to install this item previously due to problems with the manufacturing process but it is extremely positive that this item is now available and has been installed, which further enhances the range of accessible play equipment at the site.

I am pleased to report that in response to community feedback received since the refurbishment project was completed, we also took the opportunity to add a '3-way springy' into a suitable space which will add another fun piece of equipment into the play area for local children to enjoy. We are also at the design stage to improve the frontage to the site. The progress continues with contractors currently working on options which make the most of the limited space between the footpath and play area and we aim to progress this as quickly as possible once a suitable design has been agreed.

9. Question from Councillor Fiona Sloman to the Leader of the Council:

“Will the Leader of the Council write to the prime minister expressing HPBC disquiet at the cancellation of HS2 north of Birmingham. It would have doubled our capacity on the rail network and made a huge difference to the High Peak economy as quarries need more rail freight capacity and we need less lorries on our roads.”

Response from the Leader of the Council:

I echo the frustrations of other Leaders across the North following the announcement that the Government will scrap both the northern and eastern legs of the HS2 rail line. Transport infrastructure is fundamental to the levelling up agenda.

For us in the High Peak, one of the critical benefits of HS2 that our local businesses were relying on was the improvements to rail infrastructure and increased capacity on the network to meet demand.

Our quarry industry, which is a significant employer in the area, needs that additional capacity to deliver materials for the city centre and housing redevelopments across the country and would have been an essential supplier in HS2.

The Government's pledge to invest the £36bn HS2 funds into hundreds of new projects provides no reassurance given that the 'Network North' proposals include projects in Plymouth, already completed projects and several announced projects that have been cancelled since the announcement. I would, therefore, be only too happy to write to the Government to set out our concerns and the impact on our communities and businesses.

This page is intentionally left blank