

**13 December 2022**

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**Subject: Environmental Mitigation Land Asset Management Framework**

**Cabinet Member: Councillor Phil Alford - Cabinet Member for Housing, Strategic Assets, Asset Transfer**

**Key Decision: Non Key**

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**Executive Summary**

The Council has a significant land holding and with an increase in pressures on the use of the land for environmental purposes, a structured approach to the review and potential reuse of land needs to be adopted. This report provides detail of an Environmental Mitigation Land Asset Management Framework, including an approach to the review of land and governance structure to determining the most effective and efficient use of the Council's assets.

**Proposal(s)**

- That Members agree and adopt the Environmental Mitigation Land Asset Management Framework, as including in Appendix 1.
- Authorise the Director for Assets and Commercial Development to determine the most appropriate use of assets when considered through the Framework, via the Asset Gateway & Capital Programme Board, after consultation with the Cabinet Member for Housing, Strategic Assets, Asset Transfer.
- Authorise the Director for Assets and Commercial Development to make any changes to the Framework in circumstances where criteria for assessment, legislation or land ownership changes, via the Asset Gateway & Capital Programme Board Cabinet Member for Housing, Strategic Assets, Asset Transfer

**Reason for Proposal(s)**

To provide a clear review and governance approach to the assessment and allocation of Council land for environmental mitigation opportunities.

**Terence Herbert  
Chief Executive**

## **Wiltshire Council**

### **Cabinet**

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### **Purpose of Report**

1. The purpose of this report is to introduce an Environmental Mitigation Land Asset Management Framework which enables a robust and structured approach to the assessment of Council land for environmental bases schemes. The Framework details the approach to review and details the different ways the Council, as landowner, can contribute towards mitigation opportunities.

### **Relevance to the Council's Business Plan**

2. The Environmental Mitigation Land Asset Management Framework establishes a route to understand how the Council's land can be used to achieve the Business Plan theme of Sustainable Environment, through enhancement of the natural environment and working towards the path to carbon zero.

### **Background**

3. The Council have a range of strategies and policies that set out that the natural environment is at risk, including:
  - Climate Strategy and associated delivery plans
  - Green & Blue Infrastructure Strategy and associated delivery plans
  - Emerging Local Nature Recovery Strategy
  - Emerging Local Plan
4. The Environmental Mitigation Land Asset Management Framework is required to respond to the climate emergency and make best use of the Council's land to develop initiatives for intervention, whilst ensures that all opportunities including those longer term are considered when initiatives are being developed.
5. It will provide consistency of approach across the estate for development of initiatives, subject to local conditions and a mechanism to select suitable sites and ensure robust challenge and audit exists through initiative development to implementation.

6. Through direct intervention the financial stability of the Council are intended to be improved, where schemes are self-financing, either through generation of income or cost mitigation.

### **Main Considerations for the Council**

7. The Frameworks sets out the detail of a range of mitigation opportunities that may exist on council land, including:
  - Nutrient Neutrality – focusing on nitrogen and phosphorus neutrality
  - Biodiversity Net Gain (BNG) – detailing the classifications in the national metric of:
    - Woodland
    - Wetland
    - Grassland
    - Hedgerows
    - Rivers
  - Nature-based carbon offsetting – focusing on woodland creations
  - Water management (Natural Flood Management) – setting out how natural solutions can assist with flooding
  - Renewable energy – the ability to use land to generate carbon-free energy including:
    - Solar energy generation
    - Wind energy generation
    - Battery storage, independent of other energy generation
  - Bio-mass fuel growth – for sale in the market
  - Nature based air quality improvement – aiming to mitigate the impact of vehicle emissions on residents.
8. It details the characteristics required for each of the schemes to be successful, enabling a review of the Council's land to take place. In addition, the principle of "stacking" is set out, whereby an initiative may deliver more than one of the opportunities above both financially and non-monetised.
9. The Framework details the approach to the assessment of opportunities, from land review to implementation. It allows for a number of differing, potentially competing, uses to be compared to ensure that the best use of the land is promoted, reflecting both financial, non-monetised benefits and Council priorities.
10. The focus is on the self-financing schemes, i.e. those that will not have a financial burden on the Council for maintenance through the life of those schemes. The review will also identify opportunities that required Council funding to be used or a choice exists to use self-financing schemes for cost avoidance purposes but will not detail how purely internally funded scheme are taken forward. The Framework does, however, seek to use income as earmarked reserves to enable other mitigation opportunities.
11. The Framework details the governance and finance approach to the opportunities, reflecting the differing roles the Council holds. In addition, detail of stakeholder engagement and communications is set out.

12. At the time of this report whilst a review of the land has been carried out, as set in Stage 1 of site selection, the detail has not been reviewed and the number of opportunities will not be stated. This is due to the likelihood of further stages reducing the number significantly and not all opportunities will be self-financing, together with an assessment of resource and priority to bring any opportunities forward.

### **Overview and Scrutiny Engagement**

13. The proposal to create an Environmental Mitigation Land Asset Management Framework has been discussed with the Climate Emergency Task Group, who report into Environmental Select Committee, on 16<sup>th</sup> September 2022.

### **Safeguarding Implications**

14. There are no direct safeguarding implications with this proposal.

### **Public Health Implications**

15. The potential health benefits and impacts are considered in the framework through the supporting policies such as the Green and Blue Infrastructure Strategy.

### **Procurement Implications**

16. The decision to use land in a different way does not have any direct procurement implications. However, when the appointment of suppliers to assist with the development of opportunities is required, their procurement is carried out in accordance with the Council's procurement rules and policies.

### **Equalities Impact of the Proposal**

17. There are no direct equalities implications with this proposal.

### **Environmental and Climate Change Considerations**

18. Environmental and climate considerations is at the heart of the Framework, as it promotes a review of its land use to create opportunities to improve the conditions of both.
19. Until the review set out in the Framework has concluded the impact on these cannot be determined and it would be inappropriate to set any targets or objectives on the basis of the Framework alone. The review allows for all possible options to be considered, allowing for a robust view that the most appropriate use of land (existing, environmental or other) is determined.
20. Examples of the considerations are:
  - Nature-based carbon offsetting - there is the opportunity to either use for the Council off-setting or disposal of credits in the market
  - Renewable energy – this can either add to grid capacity or may yield direct or in-direct supply to the Council, the latter reducing the need to purchase from the market

## **Workforce Implications**

21. There are no direct workforce implications with this proposal.

### **Risks that may arise if the proposed decision and related work is not taken**

22. There is an increasing need for the Council to directly intervene in environmental mitigation and the Framework sets out how it should assess the opportunity to use its land for the most efficient and effective purpose. Not having such a Framework will result in a higher reliance on third parties, land or providers, to deliver mitigation and may result in increases costs for the Council. In addition, opportunities to create self-financing opportunities as the wider market for environmental scheme matures and captures latent demand.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

23. There may be a risk of challenge for any initiative, but the Framework sets out risks will be factored into site selection and engagement with stakeholders ensures that parties are contributing to the successful implementation of opportunities.

## **Financial Implications**

24. There are no direct financial implications to the Framework. The Framework sets out the requirement for a detailed business case to be undertaken before any investment in initiatives to ensure the financial implications and funding are understood and relevant approvals taken. In some cases funding will be generated through planning agreements or CIL payments, as above a business case will be undertaken to ensure that they are self-financing and funds are accounted for over the full life of the project.
25. The existing use of land and all alternate uses will be factored into the site selection process, thus ensuring that best value is being obtained from the land.

## **Legal Implications**

26. There are no direct legal implications with this proposal, but the ability for any sites to be used for an evidenced initiative will be reviewed by Legal Services to ensure that covenants or other statutory duties are not either barriers or at risk.

## **Options Considered**

27. The other option available to wait until either external market forces or initiatives come forward, but this may not give rise to a robust review approach and may miss other opportunities that exist or factors that have long term implications.

## **Conclusions**

28. To proceed with the Environmental Mitigation Land Asset Management Framework to enable a robust review of land to be undertaken.

**Simon Hendey; Director for Assets & Commercial Development**

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5 December 2022

## **Appendices**

Appendix One - Environmental Mitigation Land Asset Management Framework

## **Background Papers**

None