

**Title of meeting:** Cabinet

**Date of meeting:** 26 July 2022

**Subject:** Response to the Traffic, Environment and Community Safety Scrutiny Panel's recommendations regarding biodiversity

**Report by:** Director of Culture, Leisure and Regulatory Services;  
Director of Public Health;  
Director of Housing, Neighbourhood and Buildings;  
Director of Regeneration

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

The purpose of the report is to set out the response of officers to the Traffic, Environment and Community Safety Scrutiny Panel's recommendations arising from a review into biodiversity enhancement in urban Portsmouth.

**2. Recommendations**

- 2.1. That the Panel is thanked for its work in undertaking the review.
- 2.2. That Cabinet notes and supports the recommendations of the review, which are set out in Appendix 2 to this report, together with the officer responses to the recommendations.

**3. Background**

- 3.1. The Traffic, Environment and Community Safety Scrutiny Panel reviewed opportunities for biodiversity enhancement in urban Portsmouth.
- 3.2. On 13 October 2021 Full Council resolved that a review be undertaken.
- 3.3. The review was undertaken between 16 November 2021 and 22 March 2022 and included receiving evidence in person from:

- 3.3.1. Vincent Mount, Landscape Architect;
- 3.3.2. Trevor Mose, Head of Property and Capital Development, Portsmouth Hospitals' University NHS Trust;
- 3.3.3. Geoff Gleadle, Chair of Cosham Allotment Association;
- 3.3.4. Councillor Lynne Stagg, Cabinet Member for Traffic and Transportation;
- 3.3.5. Doug Gray, Grounds Maintenance Manager;



- 3.3.6. Ashley Humphrey, Allotments Supervisor;
  - 3.3.7. Councillor Darren Sanders, Cabinet Member for Housing and Preventing Homelessness;
  - 3.3.8. Ian McCormack, Energy and Environment Manager, University of Portsmouth;
  - 3.3.9. Zoe White, Green and Healthy Streets Co-ordinator;
  - 3.3.10. Phil Bentley, Head of Estate Services
  - 3.3.11. Richard Jones, Portsdown Hill Countryside Officer
  - 3.3.12. Chris Lycett, Hampshire and Isle of Wight Wildlife Trust Officer
  - 3.3.13. Pete Roberts, Hilsea Lines Ranger
  - 3.3.14. Megan Carter, Strategic Project Manager
  - 3.3.15. Owen Peat, Ecology Associate, WSP
  - 3.3.16. Rachel Hudson, Portsmouth Friends of The Earth
  - 3.3.17. Andy Ames, Wilder Communities Officer, Hampshire and Isle of Wight Wildlife Trust
  - 3.3.18. Dr Hannah Rumble, Portsmouth Climate Action Board
  - 3.3.19. Steve White, Operations Manager, Colas
  - 3.3.20. Simon Pearce, Arboricultural Officer
  - 3.3.21. Councillor Kimberley Barrett, Cabinet Member for Climate Change and Green Recovery
  - 3.3.22. Tristan Samuels, Director of Regeneration
  - 3.3.23. Simon Bateman, Lakeside Asset Manager
  - 3.3.24. Guy Mason, Coastal, Highways and Drainage Team Manager
  - 3.3.25. Lyall Cairns, Head of Coastal Partnership
- 3.4. Evidence also included written responses from:
- 3.4.1. Councillor Cal Corkery, Deputy Leader, Labour Group
  - 3.4.2. Councillor Robert New
  - 3.4.3. Councillor Terry Norton
  - 3.4.4. Councillor Hannah Brent
  - 3.4.5. A number of Portsmouth residents, including Australia Blocks residents' associations
  - 3.4.6. North Harbour Allotment Association, Longmeadow Allotment Association, Cotswold House Residents' Association, Eastney and Milton Allotment Association, Horsea Lane Allotments Association.
  - 3.4.7. Portsmouth Tree Wardens
  - 3.4.8. Charles Dickens Community Orchard
  - 3.4.9. The Tree Council
- 3.5. The Scrutiny Panel's review document can be found in full at Appendix 1.
- 4. Scrutiny Panel's Recommendations and Officer Response**
- 4.1. The scrutiny panel made 36 recommendations in total. The recommendations, with officer responses, can be found at Appendix 2.

**5. Integrated impact assessment**

- 5.1. An IIA will be produced for each specific scheme or policy change arising from the recommendations made, at such time as they are planned for implementation.

**6. Legal implications**

- 6.1. The Council has a statutory duty to conserve biodiversity under section 40 Natural Environment and Rural Communities Act 2006. Section 40(1) states that the public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. "Conserving biodiversity" includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat (Section 40(3)). "Public authority" means a local authority (Section 40(4)(c)).
- 6.2. Prospective amendments to the definition of the general biodiversity objective and local authorities' specific statutory duties in relation to biodiversity reporting are contained in sections 102 and 103 of the Environment Act 2021 although these have not yet been brought into force.
- 6.3. There are no legal implications arising directly from the specific recommendations and officer responses set out in the report, but legal support can be provided as may be necessary in connection with the implementation of recommended initiatives, including in relation to any of the contracts specifically mentioned.

**7. Director of Finance's comments**

- 7.1. Implementation of the various initiatives outlined in the appendices will be subject to available budget provision. Some initiatives may be financed from existing cash limits (revenue budget). Initiatives requiring capital investment will be subject to a satisfactory capital bid.

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Signed by:

**Stephen Baily**  
**Director of Culture, Leisure and Regulatory Services**

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Signed by:  
**Helen Atkinson**  
**Director of Public Health**

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Signed by:  
**James Hill**  
**Director of Housing, Neighbourhood and Building Services**

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Signed by:  
**Tristan Samuels**  
**Director of Regeneration**

**Appendices:**

Appendix 1: Traffic, Environment and Community Safety Scrutiny Panel review into biodiversity enhancement in urban Portsmouth.

Appendix 2: Scrutiny Panel's recommendations and officer responses

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

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Signed by:  
**Cabinet Member for Culture, Leisure and Economic Development**

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Signed by:  
**Cabinet Member for Climate Change and Environment**

.....  
Signed by:  
**Cabinet Member for Housing and Preventing Homelessness**

.....  
Signed by:  
**Cabinet Member for Planning Policy and City Development**

.....  
Signed by:  
**Cabinet Member for Health, Wellbeing and Social Care**