



# City of Doncaster Council

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday, 19th July, 2023 by Cabinet.

Date notified to all Members: Thursday 20<sup>th</sup> July 2023

End of the call-in period is 5.00 p.m. on Monday 31<sup>st</sup> July 2023. These decisions will not be implemented until after this date and time.

Present:

Vice-Chair - Councillor Glyn Jones (Deputy Mayor, Portfolio Holder for Housing and Business.) (in the Chair)

### **Cabinet Member for:**

Councillor Lani-Mae Ball	Portfolio Holder for Early Help, Education, Skills and Young People
Councillor Nigel Ball	Portfolio Holder for Public Health, Communities, Leisure and Culture
Councillor Joe Blackham	Portfolio Holder for Highways, Infrastructure and Enforcement
Councillor Mark Houlbrook	Portfolio Holder for Sustainability and Waste
Councillor Jane Nightingale	Portfolio Holder for Corporate Resources
Councillor Sarah Smith	Portfolio Holder for Adult Social Care

Apologies:-

Apologies were received from Mayor Ros Jones, Councillor Rachael Blake and Councillor Phil Cole

## **PUBLIC MEETING – SCHEDULE OF DECISIONS**

### Public Questions and Statements

No public questions or statements have been received.

Decision Records dated 21<sup>st</sup> June be noted.

## DECISION 1.

### 1. AGENDA ITEM NUMBER AND TITLE

6. Biodiversity Net Gain and Habitat Banks.

### 2. DECISION TAKEN

Cabinet:

1. Approved the decision to set up a Habitat Bank on a Council owned area of land at Red House Farm adjacent to Sandall Beat Wood.
2. Agreed to end the existing agricultural tenancy agreement and to pay the necessary compensation to the incumbent tenant and associated fees.
3. Agreed to fund the initial costs of seeding the site with grass seed in autumn 2023.
4. Delegated authority to the Director of Place and Chief Financial Officer, in consultation with the Cabinet Members for Sustainability and Waste and Finance, Traded Services and Planning, to fund the remaining project costs for years 1-5 (when known) subject to the production of a final layout for the Habitat Bank and detailed costings being produced and conditional on the scheme being demonstrated as viable to the market.
5. Supported the borrowing of up to a maximum of £1 million from the Environment & Sustainability/Net Zero Carbon Earmarked Reserve, to support Recommendations 2 – 4 as detailed at paras 18-19 and 25-27.
6. Agreed the commencement of a tender for habitat creation and management of the site following completion of an Environmental Impact Assessment and approval by the Forestry Commission and the terms and specification be delegated to the Director of Place in consultation with the Cabinet Members for Sustainability and Waste and Finance, Traded Services and Planning.
7. Delegated to the Director of Place in consultation with the Cabinet Members for Sustainability and Waste and Finance, Traded Services and Planning the appointment of contractors to develop and maintain the site.
8. Delegated to the Director of Place in consultation with the Cabinet Members for Sustainability and Waste and Finance, Traded Services and Planning any decision to enter into a Conservation Covenant on the land used for Red House Farm Habitat Bank.
9. To create a new earmarked reserve to enable the carry forward of the balance of income from the sale of the units to fund costs of maintaining the land over the length of the scheme.
10. Noted future approval to agree the price per biodiversity unit will be undertaken in accordance with the Council's Financial Procedure Rules relating to Fees and Charges as detailed at paragraphs 32-33.

#### **Topic B – Land acquisition strategy for Biodiversity Net Gain**

11. Supported the decision to develop a land acquisition strategy for land on which future Biodiversity Net Gain projects could be delivered.
12. Supported the decision that the Council will work to develop plans for a further four habitat bank projects over the next 18 months in the North, South, East and West of the Borough.

### **3. REASON FOR DECISION**

Cabinet received the report introduced by Councillor Mark Houlbrook, Cabinet Member for Sustainability and Waste, outlining the arrangements for the opening of a Habitat Bank within the Borough.

It was reported that currently local planning proposals are required to deliver a minimum 10% net gain in biodiversity, maximising the delivery of biodiversity onsite, before seeking opportunities to deliver offsite biodiversity net gain as close to the proposed development as possible. If no offsite biodiversity net gain projects can be found within Doncaster, then it allows developers to pay the Council a Biodiversity Net Gain Contribution of £25,000 per Biodiversity Unit. From November 2023 all new developments will be legally required to demonstrate a minimum net gain of 10% and secure those gains for a minimum of 30 years. The setting up of a Habitat Bank on an area of Council owned land adjacent to Sandall Beat Wood would mean that biodiversity units would be available for sale in Doncaster and that the benefits of biodiversity net gain would be retained within Doncaster.

The development of a land acquisition strategy for land on which future biodiversity net gain projects could be delivered in Doncaster would seek to develop a further four Habitat Banks in the North, South, East and West of the Borough and enable the benefits of biodiversity net gain to be shared locally.

The Council's Corporate Plan states that a key priority was to help ensure development through the planning system becomes more ecologically sustainable, and that includes the creation of Habitat Banks, building on the Supplementary Planning Document and tariff-based approach adopted last year.

Cabinet Members welcomed the report and supported the need to ensure that the benefits of Habitat Banks would be seen borough wide, by developing them in each locality.

### **4. ALTERNATIVES CONSIDERED AND REJECTED**

#### **Topic A –Red House Farm Habitat Bank**

- i) Continue with the existing agricultural tenancy on the farmland adjacent to Sandall Beat Wood and do not open a Habitat Bank.

This option is not recommended, as from November 2023 compensation for biodiversity losses in the Borough will be compensated through sales of biodiversity units in other areas of the Country.

#### **Topic B - Land acquisition strategy for Biodiversity Net Gain**

- ii) Do not develop a land acquisition strategy for Biodiversity Net Gain.

Without an acquisition strategy, there is a significant possibility that developing further BNG sites would be missed. As the Council only has limited land in its ownership on which large Biodiversity Net Gain projects could be delivered, this

would also mean the Council is less able to deliver future Habitat Banks in a range of locations across the Borough.

iii) Do not work on developing further Habitat Bank projects.

Not developing further Habitat Bank Schemes would reduce the supply of biodiversity units for sale, reduce the potential for money from developments outside of the Borough to fund these schemes and also mean the potential benefits would be seen by less of Doncaster's communities.

## **5. DECLARATIONS OF INTEREST AND DISPENSATIONS**

There were no declarations.

## **6. IF EXEMPT, REASON FOR EXEMPTION**

Not Exempt

## **7. DIRECTOR RESPONSIBLE FOR IMPLEMENTATION**

Dan Swaine, Director of Economy and Environment

## **DECISION 2.**

### **1. AGENDA ITEM NUMBER AND TITLE**

7. The future of the former National College for Advanced Transport and Infrastructure Building.

### **2. DECISION TAKEN**

Cabinet

1. Noted that since the freehold land for the college is owned by CDC and was provided by CDC for the college under the terms of a 125 year lease, the freehold of the NCATI building will therefore revert to CDC by operation of law immediately following the surrender of that lease.
2. Noted and supported the process the Council is following to ensure the future use of the building aligns to local and regional strategic ambitions.
3. Delegated authority to the Director of Children, Young People & Families and the Director of Corporate Resources, in consultation with the Portfolio Holder for Early Help, Education, Skills and Young People, to make decisions relating to the running and operations of the former NCATI building.

### **3. REASON FOR DECISION**

Cabinet considered a report introduced by Councillor Lani-Mae Ball, Cabinet Member for Early Help, Education, Skills and Young People, on the future of the former National College for Advanced Transport and Infrastructure Building. This report provided an update to Cabinet on the current position for the building, as well as the steps the Council has taken so far and will continue to take over the coming weeks.

Councillor Lani-Mae Ball stated that the building was initially developed to provide training and upskilling new engineers, managers and designers for the UK high-speed rail industry. Following delays and costing problems with the HS2 project, and financial difficulties, it was subsequently taken over by the University of Birmingham Group in 2019. Despite the best efforts of the college and University of Birmingham, it was announced the facility would cease direct delivery and wind down by 31<sup>st</sup> July 2023. This was unsurprising given the volatile conditions the rail industry continues to work under.

It was reported that the empty building would revert to Council ownership on the 1<sup>st</sup> August 2023 and it was stressed that the Council was fully committed to securing its future. In partnership with local, regional, and national partners the Council wished to secure a positive outcome for the future of the site, which would support Team Doncaster's plans for skills development and the productive growth of Doncaster's economy.

In conclusion, Cabinet Members recognised the pressures the rail industry faced and commented that it was positive to see that the Council was working hard to secure a favourable outcome.

In response to a query regarding claw back for the grants used for the construction of the building, officers advised that Birmingham City Council had confirmed no claw back would be invoked in relation to the grant received from the Department of Business, Energy and Industrial Strategy.

Officers gave assurances they would seek a response from the DfE prior to Parliament recess in relation to any constraints which may impact on future project delivery and any indemnity that may be put in place to cover costs resulting from these constraints should they remain unresolved.

#### **4. ALTERNATIVES CONSIDERED AND REJECTED**

To not make any new delegations to individual executive officers or elected members to make decisions about the former NCATI building. This option was not recommended because it would limit CDC's ability to act flexibly and expediently in the development of a new offer at the site.

#### **5. DECLARATIONS OF INTEREST AND DISPENSATIONS**

There were no declarations.

#### **6. IF EXEMPT, REASON FOR EXEMPTION**

Not Exempt

#### **7. DIRECTOR RESPONSIBLE FOR IMPLEMENTATION**

Riana Nelson, Director of Children, Young People and Families (DCS)

Signed.....Chair/Decision Maker