

Report to	Cabinet
Date of meeting	15 th February 2022
Lead Member / Officer	Cllr Brian Jones (Lead Member for Waste, Transport and the Environment), Cllr Tony Thomas (Lead Member for Housing and Communities), Cllr Julian Thompson Hill (Lead Member for Property & Finance) / Alan Smith (BIM Head of Service & Climate and Ecological Change Programme Senior Responsible Owner), Steve Gadd (Head of Finance & Assets)
Report author	Andrew Cutts (Climate Change Programme Manager)
Title	Proposed scheme of delegated decision making for land acquisition (freehold and leasehold) for carbon sequestration and ecological improvement purposes

1. What is the report about?

- 1.1 This report is about introducing a new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes so that land can be more promptly and effectively acquired, particularly in an auction scenario, so that the Council delivers upon its Climate Change and Ecological Emergency declaration and the subsequent targets within its Climate and Ecological Change Strategy (2021/22 – 2029/30).

2. What is the reason for making this report?

- 2.1 A decision is required on whether or not to introduce the new scheme of delegated decision making as proposed.

3. What are the Recommendations?

- 3.1 For Cabinet to approve the introduction of the new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes as proposed in Appendix 1.
- 3.2 That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.

4. Report details

- 4.1 See Appendix 3 for detail on the Council's Net Carbon Zero and Ecologically Positive 2030 targets and rationale for acquisition for the purposes of carbon sequestration and ecological improvement.
- 4.2 See Appendix 4 for detail on the Council's current approach for acquisition (freehold/leasehold) for purposes of carbon sequestration and ecological improvement and how that would look under this proposed scheme of delegated decision making.

4.1 Proposed scheme of delegated decision making

- 4.1.1 An identified risk (see Appendix 6) in successfully achieving our carbon sequestration targets is around the successful acquisition of land which comes on the open market, often in an auction selling environment, with short deadlines between advertisement and final bids. This was confirmed as an issue in September 2021 when 2 sites were available for purchase via auction which would have scored highly using the land assessment matrix (Appendix 5) but were not pursued due to not being able to complete the existing scheme of delegated decision making in the time available between advert and auction.
- 4.1.2 In order to secure sites in a prompt and effective manner it is proposed a new scheme of delegated decision making is put in place for specific site acquisitions for the purposes of carbon sequestration and ecological improvement. This would involve both financial aspects under the jurisdiction of Strategic Investment Group and land use aspects under the jurisdiction of Asset Management Group as outlined in the Council's Constitution.
- 4.1.3 The proposed new scheme of delegated decision making is provided in full in Appendix 1 and a description is below.

For acquisitions up to £1m in value and having costs within the budget envelope agreed by Budget Board for the Climate and Ecological Change Programme Land Use Workstream it is proposed that:

Strategic Investment Group delegate the decision for spending of capital for specific site acquisition to / that Asset Management Group delegate decisions on proposals for specific site acquisitions to:

the Head of Finance and Property in consultation with the Section 151 Officer, Monitoring Officer and Lead Member for Property & Finance, in conjunction with the Corporate Landlord, Lead Member for Waste, Transport and the Environment (covering Net Carbon Zero Council) and Lead Member for Housing and Communities (covering Ecologically Positive Council), to negotiate the acquisition of land for purposes of carbon sequestration and ecological improvement as long as the land in question does not meet any of the stated disqualifying criteria.

5. How does the decision contribute to the Corporate Priorities?

- 5.1 The approach outlined will make a direct contribution to delivering upon the Council's Climate Change and Ecological Emergency declaration which committed the Council to become Net Carbon Zero by 2030, and the subsequently adopted Climate and Ecological Change Strategy, by supporting the increase in tonnage of carbon sequestered by Council owned/operated land and at the same time directly contributing to the achievement of Ecologically Positive Council by 2030 by increasing the number of hectares of Council owned/operated land in the highest species richness categories.
- 5.2 The approach outlined will support the Council in making its contribution to the Welsh Government policy for the public sector to be carbon neutral by 2030, for Wales to meet its legally binding target of reducing emissions to Net Zero by 2050 and supports the Council's statutory duty under Section 6 of the Environment (Wales) Act 2016 to "seek to maintain and enhance biodiversity".

6. What will it cost and how will it affect other services?

- 6.1 Capital costs include any costs related to the acquisition of the land e.g. purchase cost, and any costs related to converting the land into woodland e.g. tree planting, and ecological improvement interventions e.g. habitat creation, livestock fencing. External grants would be sought wherever possible to provide a funding mix alongside capital allocated to the Climate and Ecological Change Programme each year as part of the budget setting process.
- 6.2 Revenue costs include fees and charges related to acquisition of the land which cannot be capitalised and costs related to the management of the asset thereafter. For woodland creation at scale, the approach being undertaken is that of natural regeneration wherever

possible. For woodland creation within communities the approach being undertaken is that of 'right tree, right place' to avoid unnecessary tree maintenance or failure. Sites acquired are likely to be added to the Countryside Services asset portfolio and will be reviewed from an ongoing management perspective. Revenue costs may be identified and external grant will be sought to supplement management budgets across all sites.

6.3 The likely impact on other service areas are as follows:

- Strategic Assets and Legal - in relation to land acquisition negotiations.
- Climate Change Team – providing project management to assess potential land acquisitions and deliver any subsequent woodland creation and habitat enhancement activity.
- Countryside Services – providing specialist advice for carbon sequestration and ecological improvement plans; undertaking operational management and maintenance.
- Democratic services - to manage a notice of decision process to enable sufficient awareness in case Members wish to call in the executive delegated decision.

7. What are the main conclusions of the Well-being Impact Assessment (WIA)?

7.1 See Appendix 2 for the full WIA.

8. What consultations have been carried out with Scrutiny and others?

8.1 The Climate and Ecological Change Strategy and the targets within, including the requirement to increase carbon sequestration, was consulted widely during 2020 and was positively received. This included 2 public engagement periods in January/February and November/December 2020 as well as engagement with all Member Area Groups, Cabinet and Lead Members. The Strategy was presented and adopted by Council, by unanimous vote, in February 2021. See [23rd February 2021 Council paper](#) for further information.

8.2 The proposed approach for land use and land acquisition for the explicit purposes of carbon sequestration and ecological improvement has been developed collaboratively with support of officers from: Strategic Assets, Valuation and Estates Team, Countryside Services, AONB, and the Climate Change Team. The officer group is supportive of the proposed approach.

- 8.3 Asset Management Group reviewed a paper on the proposed scheme of delegation on 19th July 2021 and approved the recommendation to introduce the scheme. This included a statement from the Corporate Landlord which supported the recommendations (Appendix 7).
- 8.4 Strategic Investment Group reviewed a paper on the proposed scheme of delegation on 27th July 2021 and approved the recommendation to introduce the scheme but only marginally. Under the recommendation of the Monitoring Officer, it was agreed to take the decision of whether or not to introduce this new scheme of delegated decision making to Cabinet.
- 8.5 Specific engagement work has been undertaken with Denbighshire agricultural stakeholders in January 2022, including with: Coleg Cambria – Llysfasi, Jones Peckover, Farmers' Union of Wales. Positive conversations were had with all that engaged in discussion.
- 8.6 The Monitoring Officer has confirmed the delegation process and wording is sufficient.

9. Chief Finance Officer Statement

- 9.1 It is clear that land use and acquisition for carbon sequestration and ecological improvement purposes form a key part of the agreed Net Carbon Zero Target Programme. It is important to note that the annual budget allocation will still be subject to reports to the Budget Board and ultimately approval by Cabinet and Council and that individual projects over £1m will still require Cabinet approval. It is the professional opinion of senior officers within property and the programme that these proposals will help to secure sites in a prompt and effective manner and help the Council to achieve the 2030 target. On that basis the proposals are supported. If not approved, then an honest appraisal of the Council's ability to meet the agreed target should be brought forward.

10. What risks are there and is there anything we can do to reduce them?

- 10.1 Pertinent risks provided in Appendix 6.

11. Power to make the decision

- 11.1 See Appendix 8.

Appendix 1- Proposed New Scheme of Delegated Decision Making

CURRENT	PROPOSED
<ul style="list-style-type: none"> As per the Officer Scheme of Delegation section of the Council's Constitution (page 128 onward). <p>To the Head of Finance and Property:</p> <ol style="list-style-type: none"> In consultation with the Corporate Director: Economy and Public Realm, to negotiate the acquisition and/or disposal of land for all purposes, in conjunction with the Councils Asset Management Group and/or the Strategic Investment Group and subject to the results thereof being reported to all Members for information, where appropriate. To authorise investment decisions following recommendations from Strategic Investment Group and their terms of reference. 	<ul style="list-style-type: none"> In order to secure sites for purposes of carbon sequestration and ecological improvement in a prompt and effective manner, it is proposed the following, within the Officer Scheme of Delegation section of the Council's Constitution the following wording added: <p>For acquisitions for purposes of carbon sequestration and ecological improvement the delegation is as follows:</p> <p>To the Head of Finance and Property</p> <ol style="list-style-type: none"> In consultation with the Section 151 Officer, Monitoring Officer and Lead Member for Property & Finance, in conjunction with the Corporate Landlord, Lead Member for Waste, Transport and the Environment (covering Net Carbon Zero Council) and Lead Member for Housing and Communities (covering Ecologically Positive Council)*, to negotiate the acquisition of land for purposes of carbon

CURRENT	PROPOSED
<p>c) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease up to £30,000 if funding is available.</p> <p>d) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease from £30,001 and £1,000,000; if funding is available and in consultation with the Lead Member, S.151 Officer and the Monitoring Officer.</p>	<p>sequestration and ecological improvement as long the land in question does not meet any of the stated disqualifying criteria**.</p> <p>b) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease up to £30,000 if funding is available.</p> <p>c) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease from £30,001 and £1,000,000; if funding is available and in consultation with the Lead Member, S.151 Officer and the Monitoring Officer.</p> <p>e) Subject to the results thereof being reported to the Councils Asset Management Group and/or the Strategic Investment Group at the next nearest meeting, and being reported to all Members for information, where appropriate.</p> <p>*or the relevant successor role/s</p>

CURRENT	PROPOSED
	<p data-bbox="1133 320 1630 352">**disqualifying criteria is as follows:</p> <p data-bbox="1133 405 2018 496">Property that is classed in the following LDP classifications will not be considered:</p> <ul data-bbox="1182 549 1944 679" style="list-style-type: none"><li data-bbox="1182 549 1944 592">• BSC1 Housing Allocation or Housing Commitment<li data-bbox="1182 639 1592 679">• PSE2 Employment Areas



Land use and acquisition for carbon sequestration and ecological improvement purposes :

Well-being Impact Assessment Report

This report summarises the likely impact of the proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number: 957

Brief description: In order to help achieve the Council's ambition to become Net Carbon Zero and Ecologically Positive by 2030.... - The concept of woodland creation on land in Council ownership - The concept of acquiring land for the purpose of carbon sequestration and biodiversity

Date Completed: 01/02/2022 08:32:53 Version: 1

Completed by: Andrew Cutts

Responsible Service: Business Improvement & Modernisation

Localities affected by the proposal: Whole County,

Who will be affected by the proposal? Positively - Residents - Tourism industry - Visitors - Flora and fauna (plants and animals) - Council staff Negatively - Tenants of land we own but currently lease out - Other potential buyers of land

Was this impact assessment completed as a group? Yes

Summary and Conclusion

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

Score for the sustainability of the approach

3 out of 4 stars

Actual score : 31 / 36.

Summary for each Sustainable Development principle

Long term

Progressing land use for the purpose of carbon sequestration and ecological improvement has long term thinking at its heart. To deliver immediate benefit of reduced flood risk, recreational value, urban cooling, health and wellbeing. And over time increase its benefit in carbon sequestration and air quality improvement. To continue to score highly in this principal need to ensure maintenance and management is appropriately addressed.

Prevention

Woodland creation is for the purpose of increasing carbon sequestration and ecological improvement and thus reduce climate change and nature's decline. Each site will be considered on an individual basis and in relation to the wider landscape - if appropriate, tree planting will be chosen for increasing canopy coverage. However, natural regeneration of trees and woodland will be the preferred option. Added benefits around increasing wellbeing through access to nature on peoples doorsteps.

Integration

Multiple benefits involved in woodland creation hitting other well-being goals and corporate priorities. Other public body objectives would be- NRW for flooding; Betsi Cadwaladr for health. Compatibility of carbon sequestration and ecology goals with the LDP is an interesting one and being actively

Land use and acquisition for carbon sequestration and ecological improvement purposes explored in the developing new LDP. Main compatibility focus would be how land is classified in the county.

Collaboration

Wide collaboration internally across multiple services and departments, including the AONB Partnership. More limited externally, but early collaboration discussions with NRW. Stakeholder engagement has taken place with members of the agricultural community.

Involvement

Engagement has been limited with residents on woodland creation and done currently on a site by site basis e.g. the public consultation day at Maes Gwilym (Rhyl) in June 2021. This will need to be ramped up throughout the 9 years. Proposal is that a lot of engagement is done via the Member Area Groups, Lead Members and Ward Members. This could be extended to C,T&CC's too as well as direct to residents.

Summary of impact

Well-being Goals	Overall Impact
A prosperous Denbighshire	Positive
A resilient Denbighshire	Positive
A healthier Denbighshire	Positive
A more equal Denbighshire	Neutral
A Denbighshire of cohesive communities	Neutral
A Denbighshire of vibrant culture and thriving Welsh language	Neutral

Well-being Goals	Overall Impact
A globally responsible Denbighshire	Positive

Main conclusions

The proposal has a strong positive impact to the delivery of 4 out of the 7 wellbeing goals and no negative contribution (remaining 3 goals neutral impact), particularly for the delivery of a resilient Denbighshire and a globally responsible Denbighshire. It also scores high (31/36) on the sustainable development principals with "long term" and "prevention" being at the proposals heart.

The likely impact on Denbighshire, Wales and the world.

A prosperous Denbighshire

Overall Impact

Positive

Justification for impact

Proposal has the potential to provide additional social, environmental and economic value to Denbighshire increasing its prosperity, particular in the areas of access to green space and boosting the visitor economy.

Further actions required

Ensuring Countryside Services fleet vehicles transition early to ULEV early in the 9 year decarbonisation of fleet programme leading up to 2030.

Ensuring land use allocation in LDP is actively considered in site selection for woodland creation plus considerations around grading of agricultural land. Unproductive land prioritised for woodland creation wherever possible.

Positive impacts identified:

A low carbon society

Woodland creation and nature areas will be done by natural regeneration wherever possible and by utilising wildflower seed harvested locally or/and trees grown by our Council Tree Nursery

Quality communications, infrastructure and transport

Proposal is both safeguarding and creating new green space for the benefit of recreation, carbon sequestration, and biodiversity.

Economic development

Proposal has benefits for the tourism industry/ visitor economy as more nature sites for people to visit and enjoy.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Quality skills for the long term

Proposal opens up opportunities for skill development in green industries.

Quality jobs for the long term

No direct jobs are suggested to be created by this proposal currently but likely to support the developing green industry in North Wales.

Childcare

n/a

Negative impacts identified:

A low carbon society

Increasing the number of woodland sites the Council owns will require staff to travel to these sites to periodically check up on them. However, Countryside Services fleet will be transitioning to EV's by 2030 reducing carbon impact.

Quality communications, infrastructure and transport

n/a

Economic development

Potential competing demands on land needing to be used for woodland creation. Land allocated for employment in LDP will not be utilised.

Quality skills for the long term

n/a

Quality jobs for the long term

n/a

Land use and acquisition for carbon sequestration and ecological improvement purposes

Childcare

n/a

A resilient Denbighshire

Overall Impact

Positive

Justification for impact

This workstream is all about creating woodland and spaces for nature to the benefit of increasing the County's resilience to climate change and its impacts such as flooding.

Further actions required

Need to ensure only suitable tree species are incorporated on wetlands or marsh land which would impair that habitat in retaining water.

Positive impacts identified:

Biodiversity and the natural environment

This workstream is all about creating woodland and spaces for nature. The definition for woodland will be maximised on (i.e. 20% of square meter with tree cover) to allow for a matrix of habitat to be created to support a great species diversity. Mixed broadleaf and yew native planting progressed.

Biodiversity in the built environment

n/a

Reducing waste, reusing and recycling

n/a

Reduced energy/fuel consumption

Land use and acquisition for carbon sequestration and ecological improvement purposes

n/a

People's awareness of the environment and biodiversity

By having more green spaces and spaces for nature accessible to people will increase peoples awareness and appreciation of environment and biodiversity. Also the wider communication on why the Council is doing this i.e. to increase the capture of carbon emissions to prevent worsening climate change.

Flood risk management

Mutual benefits between carbon sequestration, ecological improvement and reducing flood risk will be maximised upon e.g. through planting of upstream catchment areas to trap more water upstream for longer.

Negative impacts identified:

Biodiversity and the natural environment

n/a

Biodiversity in the built environment

n/a

Reducing waste, reusing and recycling

n/a

Reduced energy/fuel consumption

n/a

People's awareness of the environment and biodiversity

n/a

Flood risk management

Land use and acquisition for carbon sequestration and ecological improvement purposes

Need to ensure only suitable tree species are incorporated on wetlands or marsh land which would impair that habitat in retaining water.

A healthier Denbighshire

Overall Impact

Positive

Justification for impact

The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide greater interest and opportunities to promote health and mental wellbeing goals as well as leisure and activity pursuits.

Further actions required

Need to be careful where woodland created to avoid any feelings of 'loss' for how the land used previously.

Need to take community with us and engender a feeling of joint ownership with local people so to avoid issues of vandalism/anti social behaviour.

Positive impacts identified:

A social and physical environment that encourage and support health and well-being

The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide greater interest and opportunities to promote health and wellbeing goals. Such as volunteering, connecting to the signs and sounds of nature, access to enjoy the open air.

Access to good quality, healthy food

n/a

People's emotional and mental well-being

There is a much researched and evidenced link between being outdoors amongst nature and the

Land use and acquisition for carbon sequestration and ecological improvement purposes improvement of mental well-being. The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide increased and geographically spread access.

Access to healthcare

n/a

Participation in leisure opportunities

The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide increased and geographically spread access to increase availability of these places for leisure.

Negative impacts identified:

A social and physical environment that encourage and support health and well-being

Increased opportunity for vandalism and/or places for anti social activities to take place. However, such concerns would be addressed prior to site alterations to aim for a focus on the positive opportunity overall.

Access to good quality, healthy food

n/a

People's emotional and mental well-being

Need to be careful where woodland created to avoid any feelings of 'loss' for how the land was used previously.

Access to healthcare

n/a

Participation in leisure opportunities

Need to be careful where woodland created to avoid any feelings of 'loss' for how the land used

Land use and acquisition for carbon sequestration and ecological improvement purposes previously.

A more equal Denbighshire

Overall Impact

Neutral

Justification for impact

A more equal Denbighshire isn't a core objective of this project but has a contribution to play and at the very least is being planned in a way that doesn't exacerbate inequalities.

Further actions required

Ensure any access requirements addressed when creating woodland and spaces for nature which are open to public. Maximise on opportunities for woodland creation and spaces for nature in or close to areas affected by socio-economic disadvantage.

Positive impacts identified:

Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

This activity is being delivered to tackle climate change and nature's decline which impacts everyone.

People who suffer discrimination or disadvantage

If existing green spaces are improved or new woodland created which includes public access that access requirements to enable all people to contribute will be pursued.

People affected by socio-economic disadvantage and unequal outcomes

Woodland creation could be in locations of socio-economic disadvantage. Some external grants for woodland creation have this as a prerequisite for access to grant. This could provide volunteering opportunities to people with socio-economic disadvantage on their doorstep.

Areas affected by socio-economic disadvantage

Woodland creation could be in locations of socio-economic disadvantage. Some external grants for woodland creation have this as a prerequisite for access to grant.

Negative impacts identified:

Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

n/a

People who suffer discrimination or disadvantage

n/a

People affected by socio-economic disadvantage and unequal outcomes

n/a

Areas affected by socio-economic disadvantage

Location of sites for woodland creation will be led on land availability and the site's appropriateness (for various environmental factors) for woodland creation, it won't be led in the first instance by where areas of socio-economic disadvantage are.

A Denbighshire of cohesive communities

Overall Impact

Neutral

Justification for impact

A Denbighshire of cohesive communities isn't a core objective of this project but has contribution to play particularly around resilience.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Further actions required

Need to take community with us and engender a feeling of joint ownership for woodland created with the community so to avoid issues of vandalism/anti social behaviour. Need to think about how visitors get to sites created which are more rural if they have public access.

Positive impacts identified:

Safe communities and individuals

n/a

Community participation and resilience

Woodland creation on sites close to where people live, we will engage the local population on plans for the site- seeking their views on what they want to see and seeking their views for design of the sites.

Mutual benefit of using woodland to reduce flood risk will also be maximised upon where possible and thus increase community resilience to impacts of climate change.

The attractiveness of the area

This project is about safeguarding and increasing green space for the benefit carbon absorption and biodiversity and thus increases attractiveness of area and opportunities for recreation.

Connected communities

Some people prefer to travel on foot/bike and will have greater opportunity to move through accessible and connected green spaces.

Rural resilience

Work to improve biodiversity, including diversity and abundance of insect pollinators, supports the farming industry through crop pollination. Woodland creation on non productive land gives formally low value land a higher value. Increasing woodland creation and spaces for nature could increase footfall into rural areas and opportunities for rural assets like pubs, shops, cafes.

Negative impacts identified:

Land use and acquisition for carbon sequestration and ecological improvement purposes

Safe communities and individuals

Increased opportunity for vandalism and/or places for anti social activities to take place.

Community participation and resilience

n/a

The attractiveness of the area

n/a

Connected communities

n/a

Rural resilience

n/a

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact

Neutral

Justification for impact

A Denbighshire of vibrant culture and thriving Welsh language isn't a core objective of this project but has contribution to play particularly around use of any information board or incorporation of any art/sculpture into sites created.

Further actions required

Ensure site selection for woodland creation is considerate to any sites of cultural and heritage significance - particularly relevant for any woodland creation within the AONB area of Denbighshire.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Positive impacts identified:

People using Welsh

Any signage or information relating to sites created will be bilingual.

Promoting the Welsh language

Any signage or information relating to sites created will be bilingual.

Culture and heritage

Any signage or information relating to sites which could also tell a local story about the wider place could be maximised upon e.g. Pengwern can translate to 'head of the alder (a species of tree) swamp'.

Negative impacts identified:

People using Welsh

n/a

Promoting the Welsh language

n/a

Culture and heritage

Ensure site selection for woodland creation is considerate to any sites of cultural and heritage significance - particularly relevant for any woodland creation within the AONB area of Denbighshire.

A globally responsible Denbighshire

Overall Impact

Positive

Justification for impact

Land use and acquisition for carbon sequestration and ecological improvement purposes

This proposal is all about increasing woodland for carbon sequestration purposes whilst improving biodiversity and thus specifically about preventing the problem of climate and nature's decline from getting worse.

Further actions required

No negatives of note. Opportunities for mutual benefit in tackling the impact of climate and ecological change already being felt will be maximised upon e.g. woodland creation to reduce flood risk, tree cover to reduce air pollution and urban heating etc.

Positive impacts identified:

Local, national, international supply chains

Trees, plants, seeds will be of native provenance and sourced as locally as possible, if not grown internally at the Council's Tree Nursery.

Projects for woodland creation could provide activity for contractors working for the Council on other contracts to contribute to via Community Benefits process.

Human rights

n/a

Broader service provision in the local area or the region

n/a

Reducing climate change

This proposal is all about increasing woodland for carbon sequestration purposes whilst improving biodiversity and thus specifically about preventing the problem of climate and nature's decline from getting worse.

Opportunities for mutual benefit in tackling the impact of climate and ecological change already being felt will be maximised upon e.g. woodland creation to reduce flood risk, tree cover to reduce air pollution and urban heating etc. Thus the proposal is likely to better prepare Denbighshire and beyond for a future with climate change.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Negative impacts identified:

Local, national, international supply chains

An active 'grow your own' or buy local approach will be undertaken thus national and international supply chains will 'miss out'

Human rights

n/a

Broader service provision in the local area or the region

n/a

Reducing climate change

n/a

Appendix 3 - The Council's Net Carbon Zero and Ecologically Positive 2030 targets

1. The Council declared a Climate Change and Ecological Emergency in July 2019 which committed the Council to become Net Carbon Zero by 2030. Subsequently the [Climate and Ecological Change Strategy](#) (CECS) was approved in February 2021 with the Net Carbon Zero by 2030 Goal and what that means in terms of carbon emission reduction and carbon sequestration increase.
2. Net Carbon Zero means the total carbon emissions (from Council buildings, fleet, waste generated in operations, business travel, staff commuting, street lighting) being equal to the total carbon absorbed by the land owned/leased in and managed by the Council by 31st March 2030. In 2019/20 the Council's carbon emissions were: 16,448 tonnes. In 2019/20 the Council's carbon sequestration was: 2,418 tonnes. Therefore, Net Carbon Zero position is: 14,030 tonnes. The goal is to reduce carbon emissions and increase carbon sequestration to get that Net Carbon Zero position to zero.
3. Whilst the Council is committed to going as far and as fast as we can to reduce the Council's carbon emissions, it is not possible to reduce the Council's carbon emissions to zero (from Council buildings, fleet, waste generated in operations, business travel, staff commuting, street lighting). Therefore, we need to increase carbon sequestration to offset the emissions we are unable to reduce/remove. The achievement pathway estimates carbon sequestration will need to increase by 4,911 tonnes to a figure of 7,329 tonnes by 2030 to meet our Net Carbon Zero goal.
4. Land eligible to be counted within the Council's carbon sequestration figures includes: land the Council owns and manages and land the Council leases from others and manages. Note: land the Council owns but then leases out to others to manage e.g. tenanted agricultural estate, cannot be included.
5. The Council is pursuing a multifaceted approach to achieving that additional carbon sequestration tonnage required including:
 - a) Improving the accuracy of our carbon sequestration data including the accounting of carbon from Council owned urban trees;
 - b) Increasing the carbon sequestration value of our existing freehold/leasehold land that we manage;

- c) Protecting our existing green spaces as much as we can from development where appropriate;
- d) Maximising on opportunities to convert brown field sites where appropriate into woodland and/or grassland (depending on suitability);
- e) Maximising on opportunities to bring land leased out back into Council management where appropriate and convert to woodland (if not already) or keep as grassland (depending on suitability); and
- f) Seeking acquisition opportunities, freehold and leasehold, and convert to woodland (if not already) or keep as grassland (depending on suitability).

- 6. Approaches a to e listed above will not be enough to meet our carbon sequestration target of 7,329 tonnes by 2030; acquisition, freehold or leasehold, is required and due to the nature of the market and the time window in which to achieve target means that options for acquisition will need to be considered every year for the 9 years up to 2030.
- 7. In addition, to achieve Ecologically Positive Council by 2030 requires the Council to increase the amount of land it owns/leases and manages that is in the highest categories of species richness by at least 13% compared to 2019/20 baseline.
- 8. The carbon sequestration target and the species richness target as part of the Ecologically Positive Council goal are complementary. Mixed broadleaved and yew woodland is the second highest species richness category and this woodland can be created in a way that contains a mosaic of grassland and scrub patches increasing the diversity of species and ecological niches these sites contain, whilst complying with the UK Land Inventory Definition for land to be classified as forestland as follows:
 - a. the land parcel must be
 - i. minimum area of 0.1 hectares;
 - ii. minimum width of 20 metres;
 - iii. tree crown cover of at least 20 per cent, or the potential to achieve it; and
 - iv. minimum height of 2 metres, or the potential to achieve it.

Appendix 4 - The Council's approach for acquisition (freehold/leasehold) for purposes of carbon sequestration and ecological improvement.

1. A scoring matrix based on various categories has been developed to assess sites for acquisition (freehold/leasehold) for the purposes of carbon sequestration and ecological enhancement (see appendix 5).
2. Land is scored for its potential to do the following:
 - a) The potential to sequester carbon – to meet our Net Carbon Zero target;
 - b) The potential to enhance biodiversity – to meet our Ecologically Positive target;
 - c) The potential to reduce flooding through planting or different management regimes;
 - d) The potential to be manageable.
3. If the land scores well at assessment and there are no immediate legal concerns discovered in the early negotiations with the seller/land agent, the current process for any land acquisition for carbon sequestration and ecological improvement purposes is as follows:
 - a) Ward Member notified
 - b) MAG consulted
 - c) Independent valuation sought
 - d) Paper to Asset Management Group (AMG), to gain approval for any acquisition (if site over £1m then requires Cabinet approval)
 - e) Paper to Strategic Investment Group (SIG), to gain approval to spend the capital.
4. Under the proposed scheme of delegated decision making and if the land scores well at assessment and there are no immediate legal concerns discovered in the early negotiations with the seller/land agent, the process for any land acquisition for carbon sequestration and ecological improvement purposes is as follows:

- a) Ward Member notified
- b) MAG consulted (if MAG meeting not scheduled, MAG chair notified)
- c) Independent valuation sought
- d) Request to the Head of Finance and Property to acquire the land under delegated authority (see appendix 1)
- e) Offer on land and negotiations concluded.
- f) Paper to Asset Management Group (AMG) at soonest opportunity to let them know about acquisition.
- g) Paper to Strategic Investment Group (SIG) at soonest opportunity to let them know about budget used.

Appendix 5 - Land Assessment Criteria

As part of the Climate & Ecological Strategy, the matrix has been developed to assess sites:

- For consideration for acquisition for either carbon sequestration or ecological enhancement; OR
- Before disposal of existing DCC sites.

Only property that is exclusively or partly within the county of Denbighshire will be considered.

Property that is classed in the following LDP classifications will not be considered:

- BSC1 Housing Allocation or Housing Commitment
- PSE2 Employment Areas

The matrix is to be used as a guide only – not the definitive mechanism for deciding whether or not a particular property should be acquired, as other factors outside the matrix criteria may have a bearing on the suitability of a property for purchase (e.g. value of the site for curlew habitat). The matrix tries to achieve a reasonable balance between the following factors in relation to identified properties:

1. The potential to sequester carbon – to meet our Net Carbon Zero target;
2. The potential to enhance biodiversity – to meet our Ecologically Positive target;
3. The potential to reduce flooding through planting or different management regimes;

4. The potential to be manageable e.g. proximity to existing DCC sites, building liabilities, etc.
5. The occurrence of key risks/ issues e.g. presence of ash trees, ability to attract external funding, etc.

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
1	Site Size	Less than 0.5 acres	0.5 to 1 acres	1 to 50 acres	50 - 200 acres	200 - 1,000 acres	More than 1,000 acres
2	Agricultural Classification	Grade 1- Excellent, Grade 2- Very Good, Grade 3a - Good	Grade 3b - Moderate	Grade 4 – Poor	Grade 5 – Very Poor	No agricultural designation	Brownfield site
3	Carbon sequestration value (current)	Less than 20% existing tree crown cover. Less than 2 meters' height and not the	Less than 20% existing tree crown cover. Less than 2 meters' height but with the	Less than 20% existing tree crown cover. 2 meters' height.	Less than 20% existing tree crown cover. At least 2 meters' height with under 50%	20% + existing tree crown cover. At least 2 meters' height with under 50% being examples	20%+ existing cover. At least 2 meters' height with 50%+ being examples of older trees.

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		potential to achieve it	potential to achieve it		being examples of older trees.	of older trees. Under 50% Broadleaved or Yew specimens.	50% + Broadleaved or Yew specimens.
4	Carbon sequestration (potential)	Unsuitable for tree planting	No potential for natural regeneration. Significant tree planting required.	Potential for some natural regeneration with significant additional planting.	Potential for natural regeneration with limited additional planting.	Potential for natural regeneration without planting. Some non-native rectification required.	Potential for natural regeneration without planting or non-native rectification.
5	Habitat potential (connections)	Connected forestland of	Connected forestland – 0.5 to 1 acres	Connected forestland – 1 to 50 acres	Connected forestland – 50 to 20 acres	Connected forestland –	Connected forestland of

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		less than 0.5 acres				200 to 1,000 acres	more than 1,000 acres
6	Habitat potential (water)	No watercourses or water bodies. Land unsuitable to create water bodies	No watercourses or water bodies. Land suitable to create water bodies	No watercourses. Water bodies present.	Watercourses present. No water bodies.	Watercourses and water bodies present. Low density/ Low quality	Watercourses and water bodies present. High density/ High quality
7	Habitat potential (biodiversity enhancement potential)	Species/habitats of conservation concern present, on or adjacent to site, which would be harmed by	No species or habitats of conservation concern present on or adjacent to site.	Species or habitats of conservation concern present on site. No species or habitats of conservation	No species or habitats of conservation concern present on site. Species or habitats of conservation	Species or habitats of conservation concern present on and adjacent to site (poor condition)	Species or habitats of conservation concern present on and adjacent to site (good condition)

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		creation of “forestland”		concern adjacent to site.	concern adjacent to site.		
8	Flood Management Potential	No potential	Very poor potential	Poor potential	Good potential	Very Good potential	Excellent potential
9	Manageability – Buildings	Multiple buildings on the site which present immediate maintenance liabilities	Single building on site which presents immediate maintenance liabilities	Buildings on site but low confidence of productive use or straightforward disposal	Buildings on site but medium confidence of productive use or straightforward disposal	Buildings on site but high confidence of productive use or straightforward disposal	No buildings on the site
10	Manageability – adjacent sites	No existing DCC “countryside”	Within 3 to 10 miles of existing DCC	Within 3 miles of existing DCC	Connects to existing DCC “countryside”	Connects to existing DCC “countryside”	Connects two or more “countryside” sites currently

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		site within 10 miles	“countryside” site	“countryside” site	sites of less than 5 acres	sites of more than 5 acres	in DCC ownership
11	Manageability - use of naturalistic grazing animals as the primary management tool	No access from the roadside to load/unload livestock	Difficult access from the roadside to load/unload livestock, no current presence of stock proof fencing/hedging	Difficult access from the roadside to load/unload livestock, there is presence of stock proof fencing/hedging but incomplete and requires attention	Workable access from the roadside to load/unload livestock, there is presence of stock proof fencing/hedging but incomplete or requires attention	Easy access from the roadside to load/unload livestock, stock proof fencing/hedging surrounding site	Adjacent access from the roadside to load/unload livestock, stock proof fencing/hedging surrounding site

Appendix 6 – Risks and Mitigation

Title	Inherent Risk	Mitigating Action	Residual Risk
Availability of the type of land we want to purchase for increasing carbon sequestration	2C	<ul style="list-style-type: none"> • Actively monitor the market and also word of mouth for potential opportunities • Keep abreast on the new policies post Brexit and maximise on any opportunities that might ensue • Ensure pathway to purchase is as smooth as possible in readiness for opportunities e.g. delegated approvals in place etc. • Ensure budget available to jump on opportunities when they come up. 	2D
Another buyer offers on the sites we are targeting before us and the offer is accepted	1C	<ul style="list-style-type: none"> • Horizon scan and maximise on word of mouth for potential purchases 	1D

Title	Inherent Risk	Mitigating Action	Residual Risk
		<ul style="list-style-type: none"> • Complete the assessment on potential sites asap on discovering an opportunity • Seek ward member and MAG engagement on the potential purchase asap • Seek independent valuation asap on potential purchase • Attend AMG asap in the negotiation process • Develop business case as quickly as possible for SIG. • Seek a new delegated authority to enable purchases for the purposes of carbon sequestration and ecological improvement to happen quicker. 	
The asking price for the sites is higher than the independent valuation	1D	<ul style="list-style-type: none"> • n/a- accept risk 	1D

Title	Inherent Risk	Mitigating Action	Residual Risk
Management and maintenance of additional nature sites become a financial and operational burden	2D	<ul style="list-style-type: none"> • Ensure that initial procurement has strong focus on efficiency and low running costs for all equipment and facilities. • Maximise on opportunities for grant funding in future years. • Forecast additional revenue pressures and flag early through budget setting cycle. • Maximise on land purchase opportunities (large and few) to keep management burden low, to be able to manage the land through natural regeneration and use of static livestock. • Consider location of additional nature sites, being close to existing sites in Countryside Services portfolio wherever possible. 	4E

Likelihood	A - Almost Certain					
	B - Highly Likely					
	C - Probable					
	D - Possible					
	E - Rare					
		5 - Very Low	4 - Low	3 - Medium	2 - High	1 - Very High
		Impact				

Appendix 7- Corporate Landlord Statement

It is clear that the council can only achieve its target to become Net Carbon Zero and Ecologically Positive by 2030 through a very significant increase in the amount of carbon sequestered on land it manages, and in turn that can only be achieved through a programme of land acquisition. The amount of additional land required is substantial, and our ability to deliver on this will be constrained by the amount of land that will actually come onto the market in the programme period, the cost of the land and the available budget for acquisition. A further constraint may be our ability to manage such an increased land holding, which has been referenced in the report. These constraints are recognised and are reflected in the Risk Register. In order to optimise the opportunity to purchase land as it comes onto the market, the proposed delegation process is also supported (rather than a requirement to take a Business Case to SIG for each acquisition).

Appendix 8 - Power to make the decision

LEGISLATION / POLICY / DUTY	POWER
Local Government Act 1972	General powers and consents to acquire and dispose of land.
Section 2, Local Government Act 2000	The power to do anything which DCC consider is likely to achieve the promotion or improvement of the environmental well-being of their area.
Section 111, Local Government Act 1972	The power to do anything which is conducive to, or calculated to facilitate, the discharge of the Council's functions.
Section 6, Environment (Wales) Act 2016	Statutory duty to seek to maintain and enhance biodiversity.
Section 13.2, DCC Constitution	All decisions of the Council will be made in accordance with the following principles: 13.2.8 having regard to tackling climate and ecological change.