



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**IMPROVEMENT AND SCRUTINY COMMITTEE – CLIMATE CHANGE,  
BIODIVERSITY AND CARBON REDUCTION**

**MONDAY, 10 OCTOBER 2022**

**Report of the Executive Director - Place**

**Derbyshire Road Verges Project – Feedback from Improvement and  
Scrutiny Committee Working Group meeting**

## **1. Purpose**

- 1.1 The Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction's Working Group met on 30 August 2022 to consider the draft delivery plans for the Council's Road Verges Biodiversity Project (the 'Project').
- 1.2 This report provides feedback to the Committee on the Working Group's discussions which will be used to finalise the draft Project Information Document and a draft Project Delivery Plan in advance of these being considered for approval by relevant Cabinet Members.

## **2. Information and Analysis**

- 2.1 In December 2021, the County Council hosted a Derbyshire Road Verges Conference at which representatives from the Council, Derbyshire's district and borough councils, and other stakeholders including environmental Non-Governmental Organisations (NGOs) gathered to discuss how biodiversity on roadside verges could be protected and enhanced. The Conference concluded with an agreement that the Council would initiate and lead a project to respond to these requirements.
- 2.2 On 23 May 2022 the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction were briefed on the Project

by the Council's Ecologist. Whilst the Scrutiny members offered comments, observations and questions, which were duly noted or answered by the Ecologist, the Committee agreed that it would form a Working Group to consider the Project in more detail in advance of its scope and timetable being formally approved by the Cabinet Members. The Chairman also requested that the new Road Verges Officer (appointed in July 2022) should attend a future meeting of the committee and present the work programme / alternative options and a timeline for implementation.

2.3 A draft Project Information Document and a draft Project Delivery Plan have been prepared (see Appendices 2 and 3). These were presented to the Scrutiny Committee's Working Group on 30 August 2022 by the Ecologist and Road Verges Officer. The Working Group debated the detail contained within these documents.

2.4 The Working Group were supportive of the project scope and approach. Key items discussed and noted were as follows:

- The practical, logistical, and financial implications of changing local authority grass verge maintenance schedules.
- Considering how good practice techniques used elsewhere in the country could be applied in Derbyshire.
- The need to ensure an appropriate geographical spread of pilot project locations with a clear methodology that explains how they have been selected.
- Ensuring the maximum participation of Derbyshire's district and borough councils in such pilots.
- Enabling local communities to lead and develop verges for amenity and biodiversity purposes, especially where cultivation licences are in place and community groups are active in this regard.
- The need for effective communications of the Project's intent and outcomes to stakeholders, including members of the public and Derbyshire's parish and town councils.

2.5 The Working Group's helpful feedback is being used to inform the Project Information Document and a draft Project Delivery Plan for the consideration and approval of the Cabinet Members.

### **3. Consultation**

3.1 This report includes consideration of consultation with the Climate Change, Biodiversity and Carbon Reduction Improvement and Scrutiny Committee. No further formal consultation is required at this time.

- 3.2 The Project will involve liaison with stakeholders such as local authorities and the Derbyshire Wildlife Trust. Formal consultation may also be required during later stages of the Project, particularly once the pilot-stage conclusions are known and recommendations have been developed.

#### **4. Alternative Options Considered**

- 4.1 No action. To continue amenity cutting of grass verges. This was not considered appropriate as there is a strong appetite for change and the Strengthened Biodiversity Duty requires the County Council to give due consideration to biodiversity in management and procurement decisions. The Project also strongly accords with the Council's Nature Recovery Motion.

#### **5. Implications**

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

#### **6. Background Papers**

- 6.1 None identified.

#### **7. Appendices**

- 7.1 Appendix 1 - Implications
- 7.2 Appendix 2 - The Derbyshire Road Verges Project Information Document (Draft)
- 7.3 Appendix 3 - The Derbyshire Road Verges Project Delivery Plan (Draft)

#### **8. Recommendations**

That the Committee:

- a) Acknowledges the feedback from the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction Working Group meeting held on the 30 August 2022.
- b) Endorses that the working group feedback is used to inform the Project Information Document and a Project Delivery Plan in advance of these being considered for approval by Cabinet Members.

## **9. Reasons for Recommendations**

- 9.1 To formally note and accept the Working Group's feedback.
- 9.2 To endorse that the Working Group's feedback is used to inform the final project documents.

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**Implications**

**Financial**

- 1.1 None at this time. Financial information and analysis will be provided at the interim report stage, scheduled to be in late 2023.

**Legal**

- 2.1 The Highways Act (1980) provides for the creation, improvement and maintenance of roads maintainable at public expense.
- 2.2 The Natural Environment and Rural Communities (NERC) Act 2006 includes a duty on public authorities to have regard to the conservation of biodiversity. The Environment Act (2021) has strengthened this duty so that there is an expectation on public authorities to look strategically at their policies and operations and assess what action they can take to further the conservation and enhancement of biodiversity

**Human Resources**

- 3.1 A Project Officer has been appointed to the Conservation, Heritage and Design Service. Project delivery will also require support from officers across the Council, notably Highways, Legal and Finance Services, Procurement and Property Services.

**Information Technology**

- 4.1 There are no specific or additional IT requirements.

**Equalities Impact**

- 5.1 Some of the recommendations may have equalities impact implications. This will be provided at the interim report stage in late 2023.

**Corporate objectives and priorities for change**

- 6.1 The Project supports the Council's ambition to be a net zero organisation by 2032, or sooner, and for the county to be net zero by 2050, as set out in the Council Plan and informs the action that needs to be taken to achieve these ambitions.

This project will also help deliver the following Council Plan priorities: Resilient, Healthy and Safe Communities; High Performing, Value for

Money and Resident-Focused Services; A Prosperous and Green Derbyshire.

**Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 Health and safety, environmental sustainability, property and asset management and risk management are key aspects of the project. Each will be considered in the recommendations for decision in the interim report and final recommendations.

### Derbyshire Road Verges Project Information Document (Draft)

Following the County Road Verge Conference, the Leader of Derbyshire County Council announced that the Council would be looking at how it commissions road verge maintenance work so that we can have healthier and more biodiverse grassland verges throughout the County.

Road verge maintenance is mainly undertaken by District and Borough Councils on behalf of the County Council under the specifications set out in Agency Agreements. It is important every opportunity is taken to make sure our maintenance work is done in the right way, at the right time, for the right money and fulfils the Council's legal duties, including the duty to biodiversity.

If we want to increase the wildlife value of highway verges, it is likely that the number and timings of grass verge cuttings will change, and we will have to find ways of dealing with cuttings differently. We know that this is not as easy as it may seem at first.

Changing how verges are maintained means we must look at safety for pedestrians and road users. We must also review the equipment used and available, who does the work now and how changing one part of a maintenance crew's work impacts on the whole annual programme.

#### Why are we doing this?

The Environment Act 2021 has extended existing 'biodiversity duties' which apply to local planning authorities. All public authorities must review how their activities can affect or improve biodiversity, and to plan for how they can conserve and enhance biodiversity as they carry out their work.

The Nature Recovery Network (NRN) is a major commitment in the government's 25 Year Environment Plan.

The NRN will help us deal with 3 of the biggest challenges we face: biodiversity loss, climate change and wellbeing.



Highway verges are linear habitats that deliver on all the NRN commitments. In our towns and villages, they are mostly managed in the same way as we would recreational grasslands – frequently mown with the cuttings left in place. In the countryside however, verges are often cut much less frequently – often once every three years – but this also isn't ideal for many wildflower species. But we don't have to manage our verges this way and there are many good reasons to do it differently.

There are more than 5,600km of Highway in Derbyshire, and even with only a one metre verge on either side of these roads, this would amount to an area of land greater than 160 football pitches. We cannot ignore the opportunity this much grassland could provide to wildlife, the benefits this could offer for air quality, and the beauty that could be added to our streets and roads.

Having the right the equipment in place and reducing the number of cuts carried out in heavily managed areas could create a long-term financial saving for the Councils in urban areas. Although some kinds of wildlife-friendly verge management, particularly on the rural roads, could be more expensive than the current practices. We must find wildlife-friendly ways to manage our verges that balance costs and environmental improvements and do this in a way that helps the District and Borough Councils to appropriately manage their budgets too.

### **What we are doing**

A Project Officer has been appointed to deliver a two-year programme of work. This project will:

- Clarify and document current practice on the delivery of verge management under the Agency Agreements.
- Review and report back on innovations in verge management already underway in Districts and Boroughs and through Derbyshire Wildlife Trust's Road Verge Reserve project.
- Identify national good practice in road verge maintenance.
- Review and report back on the legal duties there are around verge maintenance, including safety.
- Identify the opportunities available within the existing Agency Agreements and through the application of Cultivation Licences.
- Work with two Districts or Boroughs, one broadly urban and one rural to develop and test a different road verge management schemes.
- Work with stakeholders, including Derbyshire Wildlife Trust and the Peak District National Park Authority to develop a strategy that is both robust and sustainable.
- Establish what equipment is available and best suited to 'cut and collect' operations on the Highway. This will include examining the short- and long-term cost implications.
- Look at other schemes and proposals that may change how Highways verges are managed. This could include trees, water, and recreational uses.
- Look for ways to manage the arisings collected from the verges if we are to move away from the current system.
- Examine if, where and how changing the verge maintenance regime could benefit biodiversity and save money and identify where biodiversity improvements would incur extra expenses.
- Produce a report which sets out recommendations for management that could be implemented in Derbyshire, taking account of practical considerations, costs, equipment requirements and more



- Develop and implement a system for surveying and monitoring verges before, during and after a change in management.
- Develop a policy and specification for the creation of new verges associated with development.

A project Sponsor will be appointed to ensure that cross-service provision is in place, to have an oversight in progress of the project, to champion the project at a strategic level.

A Steering Group will be set up to support the Project Officer in delivering the project, offer guidance and ensuring that work is timely and to plan.

Two District Councils will be invited to pilot the project, to test how changing specifications impacts on work programmes, efficiencies, and cost, measure the effectiveness of management decisions, and identify resource requirements.

### **Key Supporting Documents**

Managing grassland road verges. A best practice guide. Plantlife

<https://www.plantlife.org.uk/uk/our-work/publications/road-verge-management-guide>

Derbyshire County Council statement, Verges, trees and hedges beside roads and footways

<https://www.derbyshire.gov.uk/transport-roads/roads-traffic/road-maintenance/grass-cutting/trees-hedges-and-grass-verges.aspx>

DCC Highways Network Management Plan and Highways Infrastructure Asset Management Plan



## Appendix 3

## Project Delivery Plan (Draft)

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