

Meeting of the Climate Change Select Committee

**Thursday, 14th March, 2024 at 6.00pm
in Committee Room 2
at the Council House, Priory Road, Dudley**

Agenda - Public Session (Meeting open to the public and press)

1. Apologies for absence
2. To report the appointment of any substitute members serving for this meeting of the Committee.
3. To receive any declarations of interest under the Members' Code of Conduct
4. To confirm and sign the minutes of the meeting held on 24th January, 2024 as a correct record - (Pages 4 to 12)
5. Public Forum
6. Update on Food Waste Collection and Anaerobic Digestion – (Pages 13 to 34)
7. Planning Policies in Relation to Renewable Energy and Climate Change (Pages 35 to 54)
8. Climate Change Select Committee Action Tracker and Future Items of Business (Pages 55 to 56)

9. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).

Distribution:

Councillor P Dobb (Chair)
Councillor T Russon (Vice-Chair)
Councillors C Barnett, C Bayton, D Borley, H Bills (substitute Member for C Eccles), M Dudley, J Elliott, S Henley, N Neale and A Tromans



Chief Executive
Dated: 6th March, 2024

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Minutes of the Climate Change Select Committee

**Wednesday 24th January, 2024 at 6.00 pm
in Committee Room 2, The Council House,
Priory Road, Dudley**

Present:

Councillor P Dobb (Chair)
Councillors C Barnett, C Bayton, R Collins, C Eccles, J Elliott, S Henley, P Lee,
N Neale and A Tromans.

Dudley MBC Officers:

F Mahon (Head of Energy, Sustainability and Climate Change), H Rayet
(Climate Policy Manager), J Deakin (Head of Waste and Fleet Operations) and
G Gray (Democratic Services Officer)

Also in Attendance:

Councillor P Harley (Leader of the Council)
Councillor Dr R Clinton (Cabinet Member for Climate Change)
Councillor D Corfield (Cabinet Member for Highways and Public Realm)
Mr M Richards (Member of the Public by invitation)

Together with 2 members of the public.

27 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of
Councillors T Russon and M Dudley.

28 **Appointment of Substitute Members**

It was noted that Councillor R Collins had been appointed as a substitute Member for Councillor T Russon, for this meeting of the Committee only.

29 **Declarations of Interests**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matter considered at the meeting.

30 **Minutes**

In referring to Minute No. 22 – Members were advised of the error of the title concerning the Net Zero Neighbourhood Scheme.

Resolved

That, subject to the amendment made above, the minutes of the meeting held on 22nd November, 2023 be approved as a correct record and signed.

31 **Public Forum**

A Member of the public from the Friends of the Earth Community Group raised questions regarding the Dudley Climate Action Plan and the Brockmoor Pensnett Retrofit programme and queried whether further updates or progress had been made and whether information could be provided.

In response, the Chair clarified that information concerning the Dudley Council Climate Action Plan would be presented at the meeting and advised that information could be circulated including information regarding the Dudley Council Climate Action Plan and Brockmoor Pensnett Retrofit programme.

At this juncture Councillor N Neale withdrew from the meeting.

32 **Dudley Council Climate Action Plan**

A report of the Acting Service Director – Neighbourhood Delivery was submitted to recommend to approving the Dudley Council Climate Action Plan, Phase 1 (2024-2027) as part of the Council's response to the climate emergency.

The Head of Energy, Sustainability and Climate Change provided an overview of the report submitted and in doing so stated that Dudley Council had declared a Climate Emergency in 2020 and had committed to deliver a Climate Action Plan and produce a Borough Wide Action Plan within Phase 2 of the Action Plan. It was noted that actions from the Dudley Council Climate Action Plan would contribute towards the Borough wide impact.

There was a focus to achieve Net Zero by 2030 and steps had been taken within several service areas of the Council in particular the Council's Estate and Fleet Services to reduce the carbon footprint.

Members were advised that the Council had recognised they had a leadership role to produce a Council Action Plan and within Phase 1 of the Plan there was the need to set a positive example to address climate impact within the Council's own operations and services. There was also a need to provide information and advice to the public, to encourage staff to take action, and to engage with partners, residents, businesses and community stakeholders to tackle climate change across the Borough and to enable them to participate and provide feedback.

It was reported that the Climate and Sustainability Board had been established to develop and monitor the delivery of the Council's Climate Action Plan, that the Board would work with external partnerships to provide opportunities to work with businesses, however, partnership working would be included within Phase 2 of establishing the Borough Plan.

It was advised that the Council were delivering a number of actions and initiatives that were being developed and that were outlined within the report submitted.

The Head of Energy, Sustainability and Climate Change reported that the Midland Net Zero Hub had carried out work to provide information and to assist the Council in reaching the Net Zero target for 2030. It was noted that the information received identified that there was a need for Dudley to reduce emissions by a further 13,209.85 tonnes Carbon Dioxide Equivalent (CO_{2e}) from the amount of carbon generated from Council buildings and activities, within the baseline year of April 2022 to March 2023.

It was reported that the Dudley Climate Action Plan would be a 3-year plan with 6 themes as outlined in the report submitted. The Head of Energy, Sustainability and Climate Change explained that the Dudley Climate Action Plan was not a set document and would be formally reviewed and updated annually.

It was advised that the Dudley Climate Action Plan was a Corporate Plan, that the existing and planned projects and initiatives would be funded across key Directorates, therefore, there would not be a specific budget. However, consideration had been given to the current cost control processes and would work alongside colleagues to ensure actions were developed. It was noted that a meeting had taken place in November, 2023 to discuss actions, however, the budget review had subsequently been put in place, which would inevitably affect current plans, though colleagues were confident that the majority of initiatives within the first year would proceed.

It was noted that the Council recognised the need to address the Biodiversity Crisis alongside Climate Emergency and once completed focus would be given to the Borough Wide Action Plan to target Net Zero for 2030.

Members were advised that a communications plan would need to be established with the intention for people to understand what actions were being undertaken and to initiate engagement with residents. The Climate Change webpage had been set up in November, 2023 and further engagement work through social media had been carried out by the Climate Policy Manager. The Council were eager to involve young people with the possibility of establishing a youth citizens assembly.

The Head of Energy, Sustainability and Climate Change reported that the Climate and Sustainability Board would meet on a quarterly basis with a view to provide monitoring reports to the Climate Change Select Committee and it was advised that Key Performance Indicators and targets would be developed in due course.

Arising from the presentation, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) In response to a question raised by Councillor C Eccles concerning the budget restraints and how it would affect the Council's target for Climate Emergency, the Head of Energy, Sustainability and Climate advised that budgets would primarily be regulated through high level Officers within individual Directorates, that Officers would consult with relevant service areas should delivery be behind target and that a pragmatic and flexible approach would be needed particularly within the first year to ensure the Council were developing momentum.
- b) Councillor C Barnett welcomed the Dudley Climate Action Plan and commented positively on the work carried out. Councillor C Barnett referred to the launch of the new Climate website and it was felt that public engagement would be significant to provide residents with effective communication and guidance.

The Climate Policy Manager acknowledged that it was vital to ensure the public were engaged, encouraged and supported. It was advised that engagement would coincide with the public consultation and that the Communications Team would be working towards providing a Communications Plan for delivery to residents.

- c) In regard to Planning Policy and the restrictions on National Guidelines, Councillor C Barnett queried how the Dudley Climate Action Plan would be incorporated to ensure Developers contributed towards the Plan, whilst adhering to National Planning Policies.

In response Councillor Dr R Clinton, Cabinet Member for Climate Change, advised that several discussions with Planning Officers would be carried out to look at incorporating the Dudley Climate Action Plan with the Planning Regulations.

The Climate Policy Manager clarified that discussions had been undertaken with Planning Officers in November 2023 to consider in detail the Planning and National Policies to ensure that any actions would coincide and conform to Planning and National Policies and that Officers were content that there would be no conflict.

- d) Councillor C Barnett referred to the Council's Cycle Hire Scheme and whether the scheme had been successful and made comments in regard to the accessibility of cycleways around the Dudley Borough in that it was believed to be challenging, therefore, consideration would need to be given on the development of a network of cycleways to enable cyclists to travel around the Borough as an alternative use of transport.

In response the Head of Energy, Sustainability and Climate Change advised that the Dudley Climate Action Plan included the review of the travel policy and that any actions carried out would be based on ongoing discussions with relevant Officers. It was noted that an E-bike scheme was in place, and whilst it was acknowledged that there were challenges with the cycleways around Dudley, successful cycle routes schemes within other areas would be explored to assist in effective delivery of the cycle network.

- e) Councillor C Bayton welcomed the Dudley Climate Action Plan, however, felt that there was a lack of exposure through social media to help change the mindset and behavioural change in local residents.
- f) Reference was made by Councillor C Bayton concerning the 13,209.85 tonnes of Carbon Dioxide Equivalent of emissions that had been identified by Midland Net Zero Hub and stated that consideration would need to be given for any actions undertaken and should not create further issues within other parts of the Borough or within surrounding areas.
- g) Councillor C Bayton commented on the Cycle Hire Scheme and acknowledged that there had been a loss within Dudley and other surrounding areas, however, it was considered that there was a need for understanding from residents regarding how cycling would be a valuable contribution and suggested to look at solutions to incentivise residents to take up future schemes.
- h) Councillor D Borley welcomed the Climate Action Plan and commented that there were several safety issues for cyclists on the current cycle routes within Dudley.
- i) In referring to the Climate Action Plan, Councillor D Borley expressed a view that future developing technology would need to be taken into consideration and a measured approach would be needed when establishing future schemes and undertaking any actions.

In response the Head of Energy, Sustainability and Climate Change acknowledged that a flexible approach would be essential to the Climate Action Plan to consider new evolving technology together with any changes within Government Policies. It was advised that pilot schemes and trials would be carried out that would provide a measured approach.

- j) Councillor C Eccles commented that there had been very few opportunities for local community groups to be involved and contribute to the Climate Action Plan and considered that local community groups should be utilised going forward. In referring to Biodiversity, Councillor C Eccles advised that there were several established local groups who were eager to be involved within their own area.

In response the Head of Energy, Sustainability and Climate Change advised that the Public Consultation would provide an opportunity to discuss with local community groups and stakeholders.

- k) In response to a query raised by Councillor C Eccles concerning the retrofit initiative in that the main focus was on the Council's Estate and Tenants and queried whether private properties would also be community funded, the Head of Energy, Sustainability and Climate Change explained that information would be explored further within the Borough Plan.
- l) In responding to a question raised by Councillor C Barnett regarding community engagement, the Head of Energy, Sustainability and Climate Change clarified that plans would be discussed regarding community engagement within the next phase of the Borough Plan, however, it was recognised that a strategy and plan would need to be put in place. It was noted that Schools were being consulted, that there was an aim to establish a Youth Council and that educational talks on recycling were being carried out within Schools, however, there would be scope to develop and broaden other environmental subjects communicated to children to engage with students on Climate Change issues.
- m) Councillor C Barnett referred to the group Copenhagenize and advised that they had developed significant information that could be utilised for developing cycle networks around the Dudley Borough.

In response the Head of Energy, Sustainability and Climate Change recognised that there was a vast amount of experience available throughout the country that could be used as a starting point and that discussions would be carried out with various groups to consider best practices.

- n) Councillor C Barnett emphasised the importance of engaging and educating children concerning Climate Change.

The Head of Energy, Sustainability and Climate Change commented that it was essential to involve children with educational material to help engage other students within schools.

- o) Councillor R Clinton commented that there had been an emphasis from the West Midlands Combined Authority to use local manufacturers to produce supplies for solar panels, heat pumps, insulation together with various other materials and it was considered it would be an opportunity to diversify the industry within the Dudley Borough and reduce the carbon footprint.
- p) Mr M Richards commented positively on the Climate Action Plan and welcomed the regular updates that would be provided to future meetings, however, considered that the Action Plan was primarily focussed on the Council Estate rather than local residents and advised that it was essential to mobilise the local population by providing regular communication and relevant information to residents.

The Head of Energy, Sustainability and Climate Change clarified that the communications plan would be implemented to engage the public and further engagement would be carried out within the second phase of the Borough Plan.

- q) Mr M Richards commented further on the Biodiversity Emergency and raised concerns regarding species disappearing leading to eco-systems breaking down should no action be taken.
- r) Councillor D Borley expressed a view that consideration would need to be given to any decisions and actions made that would affect the local transport and the local economy. The Head of Energy, Sustainability and Climate Change clarified that the local economy would be considered within the next stage within the Borough Plan, that consultations would be carried out with local stakeholders and businesses and that there would be a focus on creating green jobs together with retrofit schemes.

Resolved

- a) That the Dudley Council's Climate Action Plan, Phase 1 (2024-2027) set out in Appendix 1 of the report submitted outlining how the Council would work to reduce carbon emissions from the Council's operations and activities and influence carbon reduction boroughwide, be received and noted.
- b) That an annual update of the Climate Action Plan to review the data and evidence, monitor progress and insert new actions to further reduce the Council's carbon footprint towards achieving its ambition to reach carbon net zero by 2030, be included as a future agenda item on the work programme for the 2024/2025 municipal year.

33 Climate Change Select Committee Progress Tracker and Future Business

Councillor C Bayton requested that a report on Biodiversity Net Gain be included as a future agenda item on the work programme for the 2024/2025 municipal year.

Resolved

That a report on Biodiversity Net Gain be included as a future agenda item on the work programme for the 2024/2025 municipal year.

That the Climate Change Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.

34 Questions Under Council Procedure Rule 11.8

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

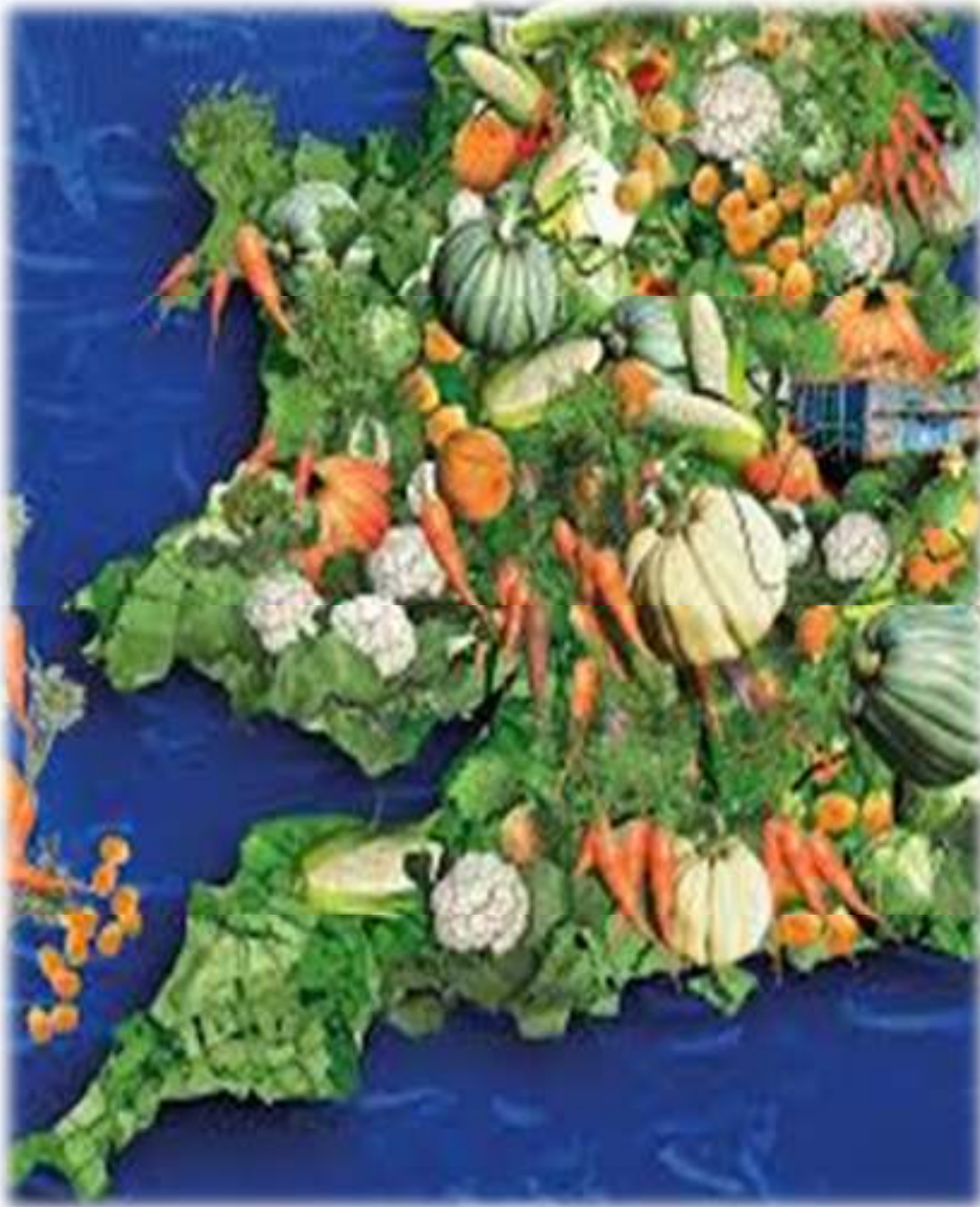
The meeting ended at 7.00pm

CHAIR

Update on Food Waste Collections & Anaerobic Digestion

Climate Change Select
Committee

14 March 2024





Legislative Update



Government announced on 21st November 2023 their response from the Consultation on “Simpler Recycling” (formerly Consistency of Collection)

Simpler Recycling will enable Households across England to be able to recycle the same materials and introduce weekly collections of food waste

March 2026						
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Tuesday 31st Mar 2026

Under the new legislation waste collection authorities must provide a weekly collection of food waste for recycling or composting from households by 31st March 2026, unless otherwise committed to an existing long-term arrangement



All non-household municipal properties must arrange a separate collection of food waste for recycling or composting from by 31st March 2025. This need not be weekly



Micro-firms are exempt from the above until 31st March 2027 i.e. firms with 10 full-time employees or less

Why Recycle Food Waste?

- Food waste is estimated to contribute 8-10% of global man-made greenhouse gas (GHG) emissions
- UK Households produce around 6.4 million tonnes of food waste each year.
- With only half of English Local Authorities currently providing a food waste collection service 79% of the food waste produced ends up in the residual waste stream.
- Approximately 34.8% of a residual bin is made up of food waste

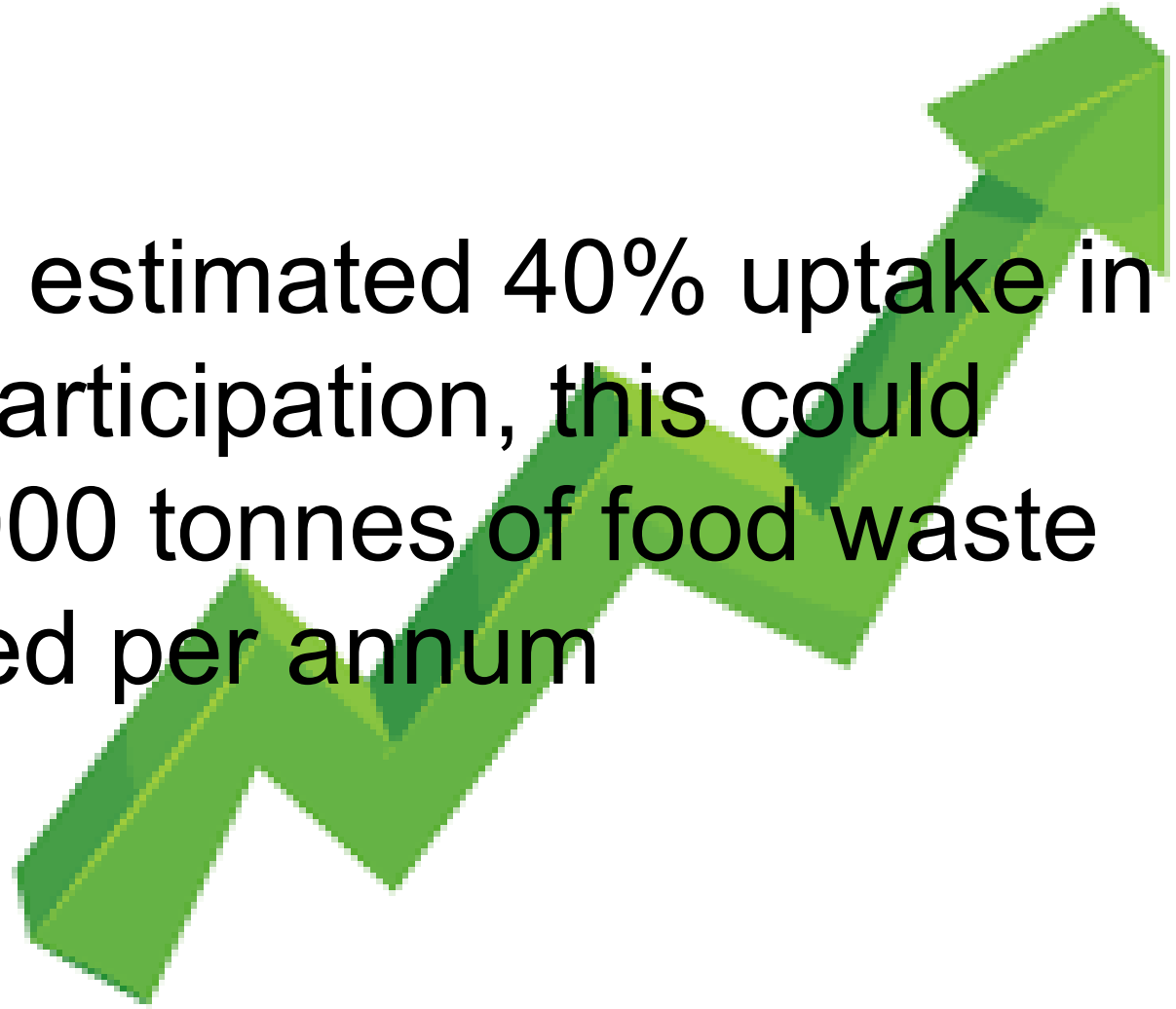


The Benefits to Collecting Food Waste

- Reduces the amount of greenhouse gas emissions by removing the putrescent content from the residual waste stream.
- Increases recycling rates.
- Produces compost that can be used as a soil improver.
- Produces Biogas (a mixture of methane and carbon dioxide)
- Produces digestate fertiliser.
- It is anticipated that a weekly food waste service would remove 1.5kg from a household residual bin



If there is an estimated 40% uptake in household participation, this could equate to 6000 tonnes of food waste being diverted per annum



Definitions

Materials that can be considered suitable from households or non-household municipal collections are:-

All food intended for human or household pet consumption

Biodegradable material from food preparation or processing:-
e.g. bones, egg-shells, tea bags,
coffee grounds, fruit or vegetable
skins



Unsuitable Materials

Cooking Oils



Fats



Contaminated Packaging



Cat Litter



Collections

Kerbside collections will be made via a standard lidded 20 to 23 litre container



With a smaller 5 or 6 litre container to be used indoors

Further guidance is still to be published on the use and provision of caddy liners



DEFRA have announced
New Burden funding and
Dudley will receive a total
of £2,679,480 capital
transitional funds.



£341,055 for the supply of kitchen caddies



£640,743 for the supply of kerbside caddies

£111,834 for the supply of communal bins



£1,534,500 for the supply of suitable vehicles

Operating Revenue Costs

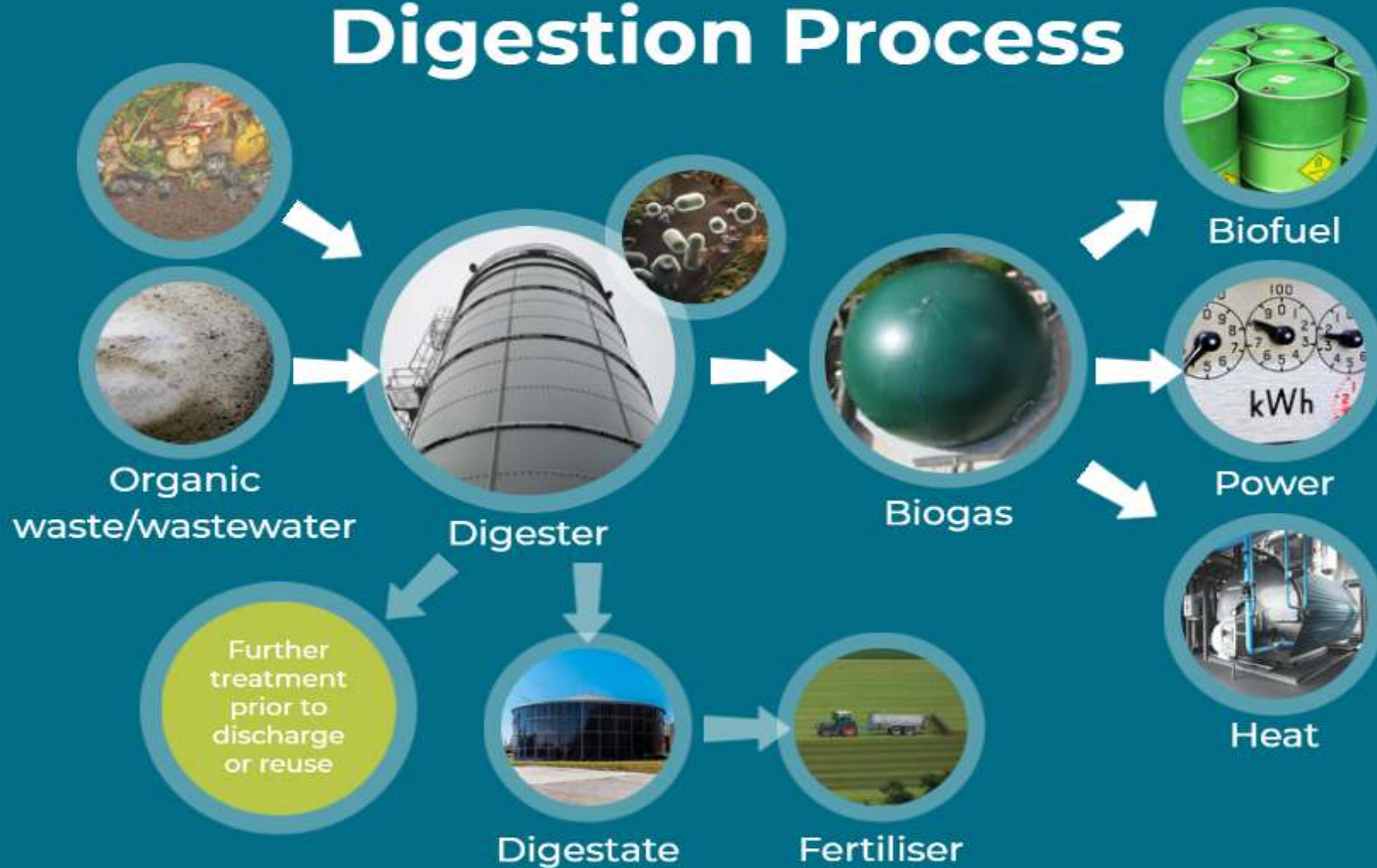
Any operating revenue costs are not included to date and are still uncertain.

Awaiting clarification which is expected later this year.

Preferred method of food waste recycling is via anaerobic digestion so as to generate biogas and a digestate



Anaerobic Digestion Process



Advantages of Biogas

100% renewable (no new carbon)

Permanently available

Transportable

Storable

Upcycles low-grade organic waste into a high value energy source

Public Perceptions

Public support is vital to any food waste collection scheme and how householders view their service has a major impact on participation.

Studies have shown that the key barriers to participating are:-

- Not having the necessary equipment
- Householders not thinking that they have sufficient food waste to make a difference
- The perception that food waste is “yucky”

Non-participation in food waste recycling are typically those who have not tried the service or have given up shortly after the start.

Communications

Need to provide communications to householders that are:-

- Clear
- Easily understood
- Engaging

It is essential to instil a behaviour change so it becomes the “social norm”

Need to break down the myths through engagement that food waste is “yucky” and is just a slop bucket.



Any
Questions?

Meeting of the Climate Change Select Committee 14 March 2024

Report of the Director of Regeneration and Enterprise

Planning Policies in relation to Renewable Energy & Climate Change

Purpose of report

1. This report covers, the current and future planning policies in relation to renewable energy and climate change and provides an overview of how developers have responded to emerging planning policies following the recent draft Dudley Local Plan consultation.

Recommendations

2. It is recommended that:-
 - Select Committee notes the current and future planning policy position in relation to renewable energy and climate change.

Background

Current Local Plan Policy Requirements

3. Dudley's existing planning policy documents have several policies in relation to renewable energy.
 - **Black Country Core Strategy (adopted 2011)- Policy ENV7 – Renewable Energy** requires developments of 10 residential units or more and non-residential developments of 1,000 sq meters to incorporate generation of energy from renewable sources sufficient to off-set at least 10% of the estimated residual energy demand of the development. Subject to viability and energy generation measures.

- **Dudley Borough Development Strategy (DBDS) (Adopted 2017)- Policy S3** – States that all Major¹ planning applications are required to be accompanied by an energy assessment to fulfil the objectives of Policy ENV7 and is supported by the Council’s Renewable Energy Supplementary Planning Document (SPD).
- **The DBDS Policy S1** – Presumption in favour of Sustainable Development, this sets out that a key aim is to ensure that we achieve sustainable forms of development across the borough in ways, which protect and enhance the wider environment and minimise the use of resources and consumption of energy. These policies objectives cut across the whole of the DBDS and the Core Strategy.

Renewal Energy Supplementary Planning Document (SPD)

4. Supporting the above policies (ENV7 & S3), the Renewable Energy SPD (adopted in 2015) is key to delivering renewable sources of energy in the Borough, by encouraging new developments to increase the amount of energy provided by renewable sources.
5. The SPD provides detailed guidance on the Black Country Core Strategy Policy ENV7 (Renewable Energy) which requires all major developments to provide 10% of their energy from renewable sources. The SPD contains guidance on the range of renewable technologies that will be acceptable by the Council and provides step by step guidance on calculating 10% renewable energy requirement for the development.
6. The SPD is a material consideration when determining planning applications and aims to assist landowners, developers, builders and other relevant stakeholders to clarify how Policy ENV7 - Renewable Energy in the Black Country Core Strategy should be applied. It provides more detail on what applicants are required to submit to support planning applications and model planning conditions for Planning Officers to use when approving Planning Applications. It also sets out more details around viability and how this is considered against this policy requirement.

Building Regulations and the Future Homes and Buildings Standard

7. In 2022, changes to Part L of the Building Regulations came into effect, which significantly improved energy efficiency standards for new homes. Further improvements under the “Future Homes Standard” are due in 2025 and will apply to planning applications in 2024. Such changes to Building Regulations (according to Government), *‘mark an important step on our*

¹ Residential – 10 or more dwellings

Non-residential – Gross floor area of 1000m² or greater for new buildings

journey towards a cleaner, greener built environment and it supports us in our target to reduce the UK's carbon emissions to net-zero by 2050'.

8. The Future Homes Standard, renamed the Future Homes and Buildings Standard in December 2021, will become mandatory in 2025 and will complement the current Building Regulations to ensure new homes built from 2025 onwards produce 75-80% less carbon emissions than homes delivered under the old regulations. The new standards aim to decarbonise new homes by focusing on improving heating, hot water systems, and reducing heat waste. This could be achieved in part by replacing current technologies with low-carbon alternatives. For example, very high-quality building fabric (structural materials, insulation etc.), triple glazing standards and low-carbon heating through heat pumps will replace their older, less efficient counterparts.
9. As Building Regulations and National Requirements continue to seek that more is done through legislation the requirements for each Local Authority to require renewable energy/efficiency measures through planning policy will lessen over time.

Emerging Policies in the Draft Dudley Local Plan

10. The Council declared a climate emergency in 2020 and pledged to achieve net zero carbon by 2030 and be a Carbon Neutral Borough by 2041. Alongside this, the West Midlands Combined Authority declared a climate change emergency in June 2019 and committed to net zero carbon emissions by 2041.
11. Local planning authorities are bound by the legal duty set out in Section 19 of the 2004 Planning and Compulsory Purchase Act, as amended by the 2008 Planning Act, to ensure that planning policy contributes to the mitigation of and adaptation to climate change. Furthermore, the National Planning Policy Framework (NPPF) addresses the duty of planning in helping to contend with a changing climate and the vulnerabilities it generates in the built and natural environments. This includes planning for zero and low carbon development, requiring renewable and low carbon energy supply, reducing emissions and greenhouse gases, the mitigation of flood risks and employing appropriate policy and design solutions to address rising temperatures, ventilation, the need for additional green infrastructure and the protection of the natural environment.
12. The NPPF also states that (local) plans should take a proactive approach to mitigating and adapting to climate change. As part of this, new development should be planned for in ways that can help to eliminate

greenhouse gas emissions, through careful consideration of matters such as its location, orientation and design.

13. In late 2022/early 2023, work commenced on the preparation of the [Draft Dudley Local Plan](#) (DLP). The policies and site allocations that make up the DLP set out the scale and distribution of new development for the Local Plan period to 2041. Once adopted, the DLP will supersede all current planning policy documents as outlined in section 3.
14. The strategic objective of the DLP is to ensure that new development takes a proactive approach to climate change mitigation, adaptation and carbon reduction, and that development is resilient to climate change. Other objectives include improving energy efficiency and a move towards becoming zero carbon and helping to decarbonise the transport system by sustainably locating development.
15. The [Draft DLP Part One document](#) contains a suite of new/updated policies designed to help Dudley mitigate and adapt to the changing climate and carbon reduction and renewable energy at a strategic level, in line with the Council's climate emergency declaration and its emerging Climate Change Action Plan. The timescales for implementing these targets/measures correspond to the timescale of the emerging Dudley Local Plan (DLP) which has a plan period to 2041.
16. Through the Draft DLP, existing policies have been updated and new policies introduced setting out requirements in relation to renewable energy and climate change. The following policies aim to ensure that future developments address national energy and climate change objectives:
 - **Policy DLP41 Increasing Efficiency and Resilience.** Policy DLP41 sets out how new development proposals will be required to demonstrate they are designed to maximise resistance and resilience to climate change through a range of design requirements.
 - **Policy DLP42 - Energy Infrastructure.** To help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources. Policy DLP42 sets out how energy infrastructure will be considered, including how opportunities for decentralised energy and communal heating will be identified.
 - **Policy DLP43 Managing Heat Risk.** As part of the plan's proactive approach towards mitigating and adapting to climate change, Policy DLP4 sets out the requirements for managing heat risk within new development proposals.

- **Policy DLP47 Renewable and Low Carbon Energy and BREEAM² Standards.** It is essential for the successful delivery of the DLP that a high standard of sustainable design is secured on all new developments over the Plan period. This will reduce carbon emissions from new development, improve design quality and "liveability" and help create a high-quality environment, which in turn will maximise economic competitiveness and housing choice. Policy DLP47 sets out requirements and thresholds for renewable energy generation and offsetting of energy demand on new developments, as well as well as requirements for new non-residential new build developments to meet BREEAM standards.

Alongside the above, there are updated policies around:

- **Policy DLP41 Air Quality.** The need to address climate change and its associated impacts will include the need to tackle pollution and poor air quality, especially where it has impacts on both human and environmental health. Policy DLP41 along with other plan policies will support a diverse approach to addressing the issue of air quality across the borough, including promoting a modal shift to public transport alternatives and more active travel, measures relating to energy generation at developments, provision and protection of green open spaces and significant additional tree cover.
- **Policy DLP45 Flood Risk.** Climate change projections show an increased chance of warmer, wetter winters and hotter, drier summers, with a higher likelihood of more frequent and intense rainfall. This is likely to make severe flooding occur more often. Ensuring that developments are planned to avoid vulnerability and manage risks with suitable adaptation measures where required will help to mitigate against related adverse impacts and disruptions. Policy DLP45 will seek to minimise the probability and consequences of flooding from all sources by adopting a strong risk-based approach to site allocations and the granting of planning permission, in line with the NPPF.
- **Policy DLP46 Sustainable Drainage and surface water Management (SuDS).** As a heavily urbanised borough much of the land in Dudley is covered in impervious surfaces (such as roads, pavements, hardstanding, and rooftops), which are water-resistant and prevent rainwater from soaking away into the ground. This has led to a high dependence on hard engineering solutions to manage rainwater run-off, storage and drainage, and has increased the risk of

² Building Research Establishment Environmental Assessment Methodology

isolated surface water flooding. Policy DLP46 sets out the requirements for new development to incorporate sustainable drainage and surface water management solutions (SuDS), to increase the amount of rainwater that is drained in sustainable ways.

Other policies also address issues around greener transport infrastructure, such as electric charging points, improved access to public transport and the need to support and promote active travel initiatives.

Developers' Responses to Emerging DLP Policies

17. From 10th November to 22nd December 2023 the DLP was subject to a public consultation exercise. As part of this several representations were received from developers on the proposed climate change/renewable energy policies.
18. Work is still ongoing to analyse the representations that were made, and a high-level summary of responses is set out below:

DLP41 Increasing Efficiency and Resilience

- Policy requires further refinement.

DLP42 Energy Infrastructure

- Objections to decentralised energy provision on the grounds of scheme feasibility
- The Policy seeks to go above Future Homes Standard unnecessarily and with no justification for this.
- Decentralised energy provision could make schemes unviable.

DLP47 Renewable and Low Carbon Energy and BREEAM Standards

- The proposed 10% renewable offset against energy demand and 20% energy reduction figures seem arbitrary.
- Renewable energy should not be mandatory but implemented on a flexible basis. In time national grid will be decarbonised
- The policy can affect scheme viability. The method of reducing carbon emissions should not need to be specified.

No representations were received from developers on the following draft policies: DLP41 Air Quality, DLP45 Flood Risk, DLP46 Sustainable Drainage and surface water Management (SuDS).

19. The Dudley Local Plan Viability and Delivery Study (2023) which was produced to test the viability of all the proposed Draft Plan policies, has demonstrated that this level of requirement will not prejudice the delivery of

most major developments in Dudley. The viability study has assumed a cost of £6,500 per dwelling unit to meet the Building Regulations and the Future Homes and Buildings Standard. Furthermore, viability will be assessed on a case-by-case basis as part of the planning application process.

Dudley Council Climate Change Action Plan

20. The policies within the Draft DLP support actions within the Draft Climate [Dudley Council Climate Change Action Plan](#). The table below demonstrates the Climate Change Action Plan priorities and how the draft Plan Policies support these actions.

Climate Change Action Plan	Relevant Dudley Local Plan policy reference number
Produce a set of local planning policies that ensure that all new development, both residential and non-residential, follow the principles of the energy hierarchy and minimise energy demand through fabric energy efficiency measures and then meet all residual energy demand via renewable energy technologies.	Policy DLP47 Renewable and Low Carbon Energy and BREEAM Standards
Ensuring that all new development, both residential and non-residential, follow the principles of the energy hierarchy and minimise energy demand through fabric energy efficiency measures.	Policy DLP47 Renewable and Low Carbon Energy and BREEAM Standards
Produce new planning policy to support retrofitting of energy efficiency measures in heritage buildings as part of the draft Local Plan process.	Policy DLP41 Increasing Efficiency and Resilience
Through the development of the new Draft Local Plan, develop policy that supports the need to adapt to the impacts of climate change and promotes	Policy DLP4 Achieving well designed places. Policy DLP33 Provision, retention and protection of trees, woodlands,

<p>opportunities to maximise carbon sequestration.</p>	<p>Ancient Woodland, and Veteran trees</p> <p>Policy DLP41 Increasing Efficiency and Resilience</p> <p><u>Carbon Sequestration:</u></p> <p>Policy DLP 51 Dudley Borough’s Green Infrastructure Network</p> <p>Policy DLP 31 Nature Conservation</p> <p>Policy DLP 32 Nature Recovery Network and Biodiversity Net Gain</p> <p>Policy DLP 33 Provision, retention and protection of trees, woodlands and ancient woodland.</p> <p>Policy DLP 49 Green Belt</p>
<p>Open Space, trees and the Green Network support the Action Plans aims of maximising opportunities for carbon sequestration.</p>	<p>Policy DLP 51 Dudley Borough’s Green Infrastructure Network</p> <p>Policy DLP 31 Nature Conservation</p> <p>Policy DLP 32 Nature Recovery Network and Biodiversity Net Gain</p> <p>Policy DLP 33 Provision, retention and protection of trees, woodlands and ancient woodland.</p> <p>Policy DLP 49 Green Belt</p>

Finance

21. There are no financial implications arising from this report.

Law

22. It is necessary to ensure that the Borough-wide local plan review is undertaken in accordance with various legal provisions as set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012.

In terms of the processing of planning applications, the Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out of the step local authorities need to take, with regard to the processing and administration of planning applications.

Risk Management

23. There are no material risks resulting from this report.

Equality Impact

24. The Dudley Local Plan has been subject to an Equalities Impact Assessment (EQIA) as part of its preparation.

Human Resources/Organisational Development

25. It is considered that there are no additional human resources or organisational development implications resulting from this report. Work on the DLP will be carried out by the Planning Policy Team in the Regeneration & Enterprise Directorate with assistance from officers in other Departments where necessary.

Commercial/Procurement

26. There are not considered to be any commercial or procurement implications as a result of this report.

Environment/Climate Change

27. Climate change, environmental and sustainability matters form a core element of any development plan.

28. The Council is required to assess the environmental impacts of any Plan which it produces. Accordingly, each stage of the Plan review process will be accompanied by a Sustainability Appraisal and a Habitats Regulation Assessment.
29. By establishing a Borough Local Plan, the policies within the Plan will work towards addressing Climate Change and net zero carbon emissions by 2041.

Council Priorities and Projects

30. It is envisaged that the Dudley Local Plan will positively contribute towards our partnership Borough Vision 2030 – forging a future for all. Through the plan preparation which will make provision for:-
 - Growth in housing and other land uses informed by public consultation so that communities can live in healthy places that build a strong sense of belonging and cohesion, working towards a place of healthy, resilient, safe communities.
 - A comprehensive network of green infrastructure and an integrated and well-connected multifunctional open space network delivering opportunities for sport and recreation whilst establishing and supporting a strong natural environment creating an affordable and attractive place to live.
 - Land use allocations including employment and residential use, thereby encouraging economic growth, enhancing the district and providing certainty for investment working towards a borough home to a host of innovative and prosperous businesses.

The Dudley plan also reflects the importance of financial sustainability which will be a key council priority for the coming year though:-

- Supporting future housing needs by allocating land for new housing and policies for different tenures and affordable housing provision. Make provision for land use allocations and policies ensuring growth is done in a sustainably manner and with the balanced infrastructure provision.



Helen Martin
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Appendices

None attached.

List of Background Documents

Dudley Borough Development Strategy

<https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/dudley-borough-development-strategy/>

Black Country Core Strategy <http://blackcountrycorestrategy.dudley.gov.uk/>

Draft Dudley Local Plan 2041

<https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/draft-dudley-local-plan-consultation/dudleys-draft-local-plan-consultation-documents/>

Renewable Energy Supplementary Planning Document (SPD)

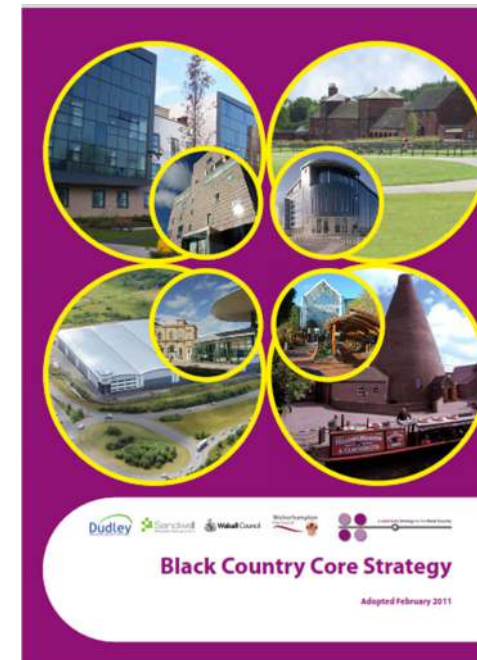
<https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/renewable-energy-supplementary-planning-document-spd/>

Meeting of the Climate Change Select Committee 14 March 2024

Planning Policies in relation to Renewable Energy & Climate Change

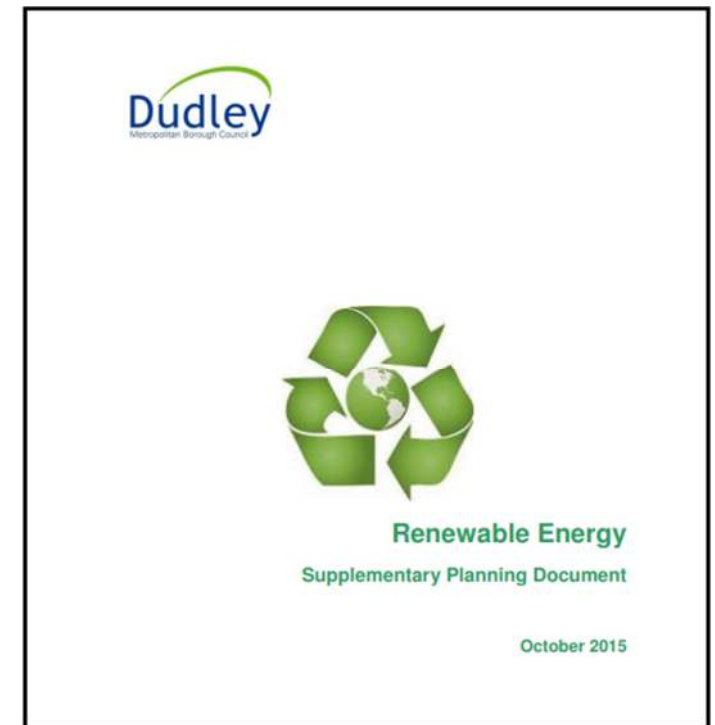
Current Local Plan Policy Requirements

- **Black Country Core Strategy 2011**
- Contains Policy ENV7 Renewable Energy
- Links to Renewable Energy Supplementary Planning Document



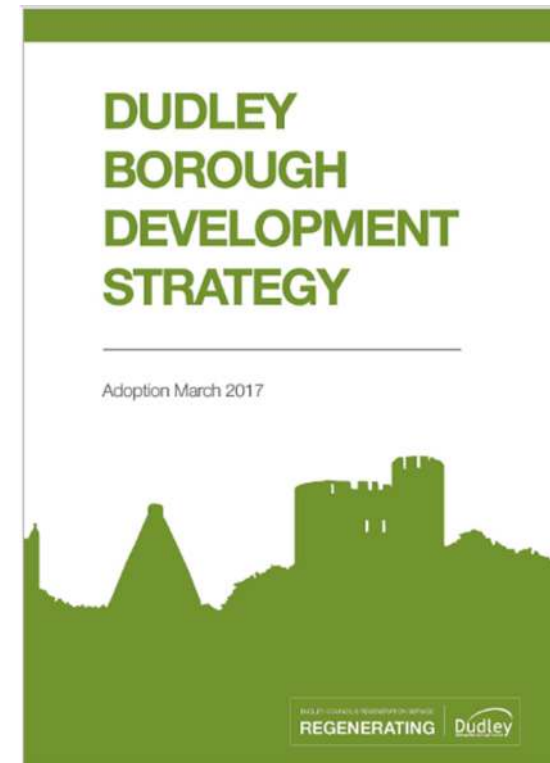
Current Local Plan Policy Requirements

- **Renewable Energy Supplementary Planning Document 2015**
- Requires all major developments to provide 10% of their energy from renewable sources



Current Local Plan Policy Requirements

- **Dudley Borough Development Strategy 2017**
- Contains policies on Renewable Energy, Flood Risk & Sustainable Development

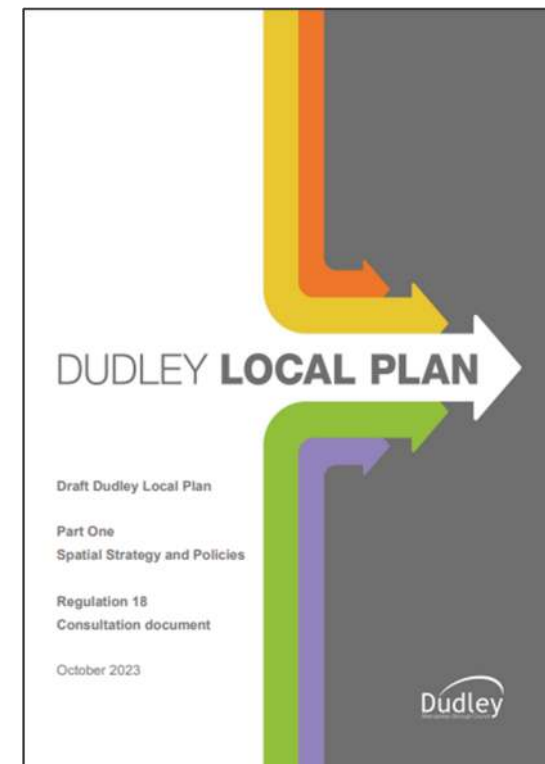


Emerging Local Plan Policies

- **Draft Dudley Local Plan**

New policies on:

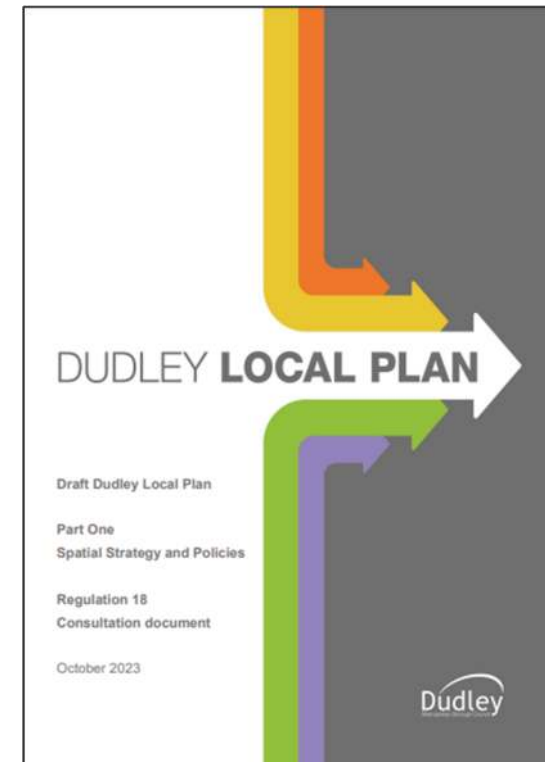
- Increasing Efficiency and Resilience
- Energy Infrastructure
- Managing Heat Risk
- Renewable and Low Carbon Energy & BREEAM Standards



Emerging Local Plan Policies

- **Draft Dudley Local Plan**
Contains updated policies on:

- Air Quality
- Flood Risk
- Sustainable Drainage



Developers' Responses to Emerging Local Plan Policies

- Concerns about viability
- Objections to decentralised energy – scheme feasibility
- Specific methods of reducing carbon emissions should not be stated
- The national grid will be decarbonised over time

Climate Change Action Plan Links

- Policies within the Draft Dudley Local Plan support actions in the Climate Change Action Plan

Including:

- Renewable and Low Carbon Energy & BREEAM Standards

- Increasing Efficiency and Resilience

Climate Change Action Plan Links

- Alongside other policies that help with carbon sequestration such as:
 - Dudley Borough's Green Infrastructure Network
 - Nature Conservation
 - Provision, retention and protection of trees, woodlands and ancient woodland

Future Business – Climate Change Select Committee

Date of Meeting	Work Programme	Responsible Officer/Area	Notes
14th March 2024	Anaerobic Digestion and Food Waste Collection Planning policies in relation to renewable energy/Presentation on Planning and Developers response to Climate Change	Director of Environment/Head of Waste and Fleet Operations Director of Regeneration and Enterprise/Head of Planning	
TBC	Dudley Climate Action Plan Update	Head of Energy, Sustainability and Climate Change	
TBC	Cycle and Travel Card Scheme	Assistant Director People and Inclusion	
TBC	Grant Register	Responsible Officers	

TBC	Biodiversity	Responsible Officers	
TBC	Update on the Use of Pesticides and maintaining the Boroughs Green Spaces	Acting Director – Neighbourhood Services/Head of Waste and Fleet Operations	