

# Shropshire Association of Local Councils

## Annual General Meeting – 3<sup>rd</sup> November 2023

### Motions for Debate

To be posted to Shropshire Association of Local Councils, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND or emailed to [alc@shropshire.gov.uk](mailto:alc@shropshire.gov.uk) no later than 20th October 2023.

If your Council wishes any motion(s) to be put forward, then please complete the details below giving the name of the person/member/clerk, who will move the motion(s).

**Please note that they will be expected to join the AGM and speak.**

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**Bitterley** Parish/Town Council or Area Committee wishes to propose the following motion(s) for debate at the Annual General Meeting of the Association on [Insert date].

**Motion:** To improve the process for consulting, wording, setting and monitoring conditions placed on renewable energy projects we put forward the following.

That conditions be consulted on and agreed with Parish Councils and representatives of the local community prior to discharge and made legally binding.

Conditions on mitigation, biodiversity and SuDs should be monitored yearly. Alongside this a program of mandatory 5 year audits by an independent body should assess the progress of mitigation and biodiversity net gains on these sites. All these reports should be made widely available to the community and the wider general public.

(Note this would also apply to non-material amendments to plans and projects that have life extensions)

**Please state the reason why you are submitting this motion with evidence if applicable:**

#### **Consultation**

Consultation during all stages of the planning process can provide important local knowledge which leads to improvements in plans. These can then be formalised into conditions and plans within conditions (BEMP's, LEMP's, SuDS etc).

This motion is presented to change council planning policy so that conditions and plans are brought back to the local PC and community for consultation before being discharged. This is to ensure that promised and agreed improvements are contained within those conditions and plans.

**Example-** recent planning for a solar farm included a wild flower meadow as a main biodiversity enhancement- the meadow is not included in the plans passed, or the conditions attached to the planning application- it has gone missing

#### **Wording**

Conditions and plans within the conditions should be written unambiguously, consistently and be legally binding.

**Example-** A condition would say mitigations should be maintained for 4 years, the plans says for the life of the project- which is correct, acceptable and enforceable?

(Note this would also apply to non-material amendments to plans and projects that have life extensions)

#### **Monitoring**

Currently conditions do not contain any mandatory reporting of the maintenance and mitigation action or what level of biodiversity net gain is being achieved at any point in the life of the project

This motion seeks to formalise plans (LEMP's, BEMP's SuDS etc) contained under the conditions to include a timetable of annual and independent mandatory 5 yearly maintenance schedules and inspections for the length

of the project. Some to be done by independent experts in the field of ecology, landscape and biodiversity net gains. All the information gathered should be available to the public and filed on the planning portal. This would allow residents and the council to track changes in the condition of the land.

If necessary, the council could issue enforcement notices based on this information

**Example-** 6 years after a recent solar farm build none of the conditions regarding grazing and grass maintenance has been carried out to the schedules in the plans under the conditions. It has also come to light that 1000's of saplings planted for mitigation have died and not been replaced. There has been no reporting of these issues or the status of the mitigation plans to the council by the developer and no independent audit of the site. It is clear that the site is not meeting the requirements of the plan and little or no biodiversity gain will be had from this development if the present state is not changed.

(Note this would also apply to non-material amendments to plans and projects that have life extensions)

**Please state what action you would like SALC to take if this motion is adopted:**

Work with the council to change the current planning system to include consultation on conditions and plans and the use of the planning portal to assist in this process. This to include non-material amendments and applications for re-living renewable projects

Work with the council and then consult the community on the wording that must be used to ensure legally binding conditions and plans

Work with the council and community to draw up a policy for monitoring and reporting on mitigation and maintenance plans and a policy also to include the detail of independent 5 year audits, who and how and funding. Involve the community in drawing up these policies at a very early stage and make sure there is adequate across the board consultation prior to policy being published

**Proposer.....Alison Holman.....**

**Date...9<sup>th</sup> October 2023....**

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Your Council should find a council willing to second the motion and may wish to seek the support of the other Parish Councils in its Area, or have the motion proposed by the Area Committee.

**Seconder .....David Mills, .....**

**Date ...9 October 2023.....**

**(Parish/Town or Area Committee) Chairman, South Shropshire Area Committee**