

## **Minutes of the meeting of General scrutiny committee held at online on Monday 25 January 2021 at 2.00 pm**

**Present:** Councillor Jonathan Lester (chairperson)  
Councillor Tracy Bowes (vice-chairperson)

Councillors: Barry Durkin, Jennie Hewitt, Louis Stark and William Wilding

**In attendance:** Councillors Ellie Chowns, Toni Fagan, David Hitchiner (Cabinet Member) and Elissa Swinglehurst

**Officers:** Ben Boswell – Head of Environment Climate Emergency and Waste Services,  
Richard Vaughan - Sustainability and Climate Change Manager and Marc Willimont - Assistant Director for Regulatory Environment and Waste

### **37. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Matthews.

### **38. NAMED SUBSTITUTES**

None.

### **39. DECLARATIONS OF INTEREST**

None.

### **40. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 15 January 2021 be approved.

### **41. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A copy of the questions from members of the public and the answers together with the supplementary questions and answers is attached at appendix 1 to these minutes.

### **42. QUESTIONS FROM MEMBERS OF THE COUNCIL**

None.

### **43. TASK AND FINISH GROUP REPORT - CLIMATE EMERGENCY REVIEW**

The Committee considered the Task and Finish Group's report on the Climate and Ecological Emergency.

The Sustainability and Climate Change Manager introduced the report. Councillor Wilding, chairperson of the Task and Finish Group, then commented followed by other members of the Group.

The Committee discussed the report. A number of amendments were proposed to the wording of some of the recommendations in the report along with some additional recommendations. The changes agreed are summarised in appendix 2 to these minutes. The complete revised recommendations are set out at appendix 3 to these minutes.

*(The meeting adjourned between 16.35-16.45 pm.)*

The Chairperson thanked the Task and Finish Group for their work.

**RESOLVED: That the findings of the report, and recommendations as amended and set out at appendix 3 to these minutes, be submitted to the executive.**

#### **44. WORK PROGRAMME**

The Committee considered its work programme.

It was noted that the work programme needed to be updated to incorporate matters discussed by the Committee on 15 January: in its review of Covid measures the Committee consider how grants have been used and seek comparative information from other authorities; monitoring of savings plans included in the 2021/22 budget; and provision for briefings to be provided to the Committee on progress in achieving the proposed savings in the Economy and Place Directorate and their impact and the Committee be informed of other savings proposals that have been identified with a view to ensuring appropriate contingency plans are in place.

In relation to the proposed consideration of contract management/performance management it was requested that consideration be given to a spotlight review.

**RESOLVED: That the draft work programme as set out at appendix 1 to the report be approved as amended.**

#### **45. DATE OF NEXT MEETING**

Monday 22 March 2021 (10.15 am)

**Appendix 1 - Public Questions and Answers**

**Appendix 2 - Amendments and Additional Recommendations - Task and Finish Group Report**

**Appendix 3 - Consolidated recommendations on Task and Finish Group report**

The meeting ended at 5.15 pm

**Chairperson**

## **PUBLIC QUESTIONS TO GENERAL SCRUTINY COMMITTEE – 25 January 2021**

### Question 1

#### **Mr D Gillam, Peterchurch**

In relation to the Task & Finish Group report on the 'Climate & Ecological Emergency Review'. Under the section 'Recommendations to the executive' 'Resources' on p6, point 4 the report says:

"The executive should ensure that all relevant teams are sufficiently resourced to carry out all recommendations that are accepted."

My question is:

"In relation to recommendation 4 (above), what does "sufficiently resourced to carry out all recommendations" actually mean? In next year's budget (2021/22) will the council establish a separate and significant budget to take forward this work? For example 1% of next year's total expenditure (£320 million in 2021/22), ie £3.2 million? If so, what figure would the Scrutiny Committee recommend that would allow the Council to properly resource the new county-wide partnership body & the many other areas of work they have identified?"

#### **Response**

The recommendation is intended to ensure that all teams have sufficient human resource, to enable them to review and carry out the work from the recommendations in this report. This acknowledges that many recommendations will require officer time to review and implement.

The Task and Finish Group report recognises that the council is making progress towards ensuring all of the council's work is aligned with its ambitions towards the climate and ecological emergency. This has been reflected in a number of early recommendations of the group being taken up, namely;

- Cabinet member Cllr Ellie Chowns has been given specific responsibility to act as a lead on the climate and ecological emergency.
- The council's decision making process has been strengthened to consider the climate and ecological emergency in all decisions.

The group also recognises that council has allocated significant budget within the current capital programme some examples include;

- A solar PV investment programme,
- A corporate energy efficiency programme,
- A recently completed a green fleet project,
- The city centre green space enhancement project,
- A programme to develop up to 8 new Integrated Constructed Wetlands to further treat effluent from village sewage works and to purchase intensively farmed agricultural land for rewilding in order to improve the water quality of the River Lugg and address the issue of phosphates.

### **Supplementary Question**

Will the T&F group please include in your report a recommendation that a specific sum is allocated to tackling the Climate & Ecological Emergency annually?

That this figure is clearly communicated to the public along with details as to what this money is being spent on.

And that this expenditure includes funding to cover the appointment of new & additional staff to tackle the Climate & Ecological Emergency as given that it is 20 months since HC declared an emergency this can clearly not be done with sufficient urgency with existing staff?

### **Response**

The Committee will discuss this during the meeting.

*(The proposed recommendation was not accepted.)*

### Question 2

#### **Mrs C Palgrave, How Caple**

The Task & Finish Group has identified the need for stronger communication about the Climate and Ecological Emergency, and listed a number of recommendations (para 7 (a) through (e)). Would the Committee please consider a further recommendation that this year's mailing of annual Council Tax notices to residents includes a statement from the Leader explaining why the Council has declared the CEE, what goals have been set, and in outline, how can residents and businesses support the Council's efforts to achieve carbon neutrality. And that each subsequent year a statement is sent to residents outlining the progress made in the preceding 12 months.

### **Response**

Thank you for your question, the committee will discuss this at the meeting at 2pm on the 25 January.

*(The proposed recommendation was accepted.)*

### Question 3

#### **Mr R Palgrave, How Caple**

Some other local authorities have issued bonds to raise funding for climate-related investments, for example West Berkshire's Community Municipal Investment bond which has reached 50% of its target of £1m and will be used to pay for solar panels on schools. Would the Committee please consider adding a recommendation to the list put forward by the CEE Task and Finish group asking the Executive to investigate the feasibility of Herefordshire creating a similar investment bond.

### **Response**

Thank you for your question, the committee will discuss this at the meeting at 2pm on the 25 January.

*(The proposed recommendation was accepted.)*

**Additional and amended recommendations agreed by the General Scrutiny Committee – 25 January 2021.**

<b>Original Recommendation number</b>	<b>Change</b>
2	Delete 2 b
6	Delete d and e (these now to appear with expanded wording with recommendations to the executive.)
7	Line 1 – delete word “additional”  (e) Add wording to e: engaging in discussion with farming bodies.
8	Add reference to air quality as part of natural capital.
22	Add c, d and e.  (c) Discussions take place with the LGA/EAl local and national drainage authorities and other appropriate bodies to see how flooding issues can be addressed at a national level  (d) That there be a focus on actions that can be taken locally by council and partners  (e) Work with landowners from whose land flooding onto the highway is known to occur reminding them of their responsibilities
30 b	Add: including ancient and semi natural woodland.
32 f	Add: A record should be kept of number of trees planted, and felled, their age, location and regrowth plan
43	Include reference to exploring alternative delivery modes.
53	Add recommendation to support protection of County’s SSIs and SACs
Additional recommendations	
	An article 4 suspension of the general permitted development order relating to temporary events of off-road motorsports, to develop a more considered approach to the sport which acknowledges its impact on environment and ecology should be made. (Previously included under planning section of the report)
.	The council should make a revolving loan fund available to victims of pluvial flooding caused by human activity, to seek legal redress. Cases and progress should be publicised.

	Proactively protect the ecology of potential development sites prior to planning permission being sought, mindful of implications for biodiversity net-gain.
<b>Additional recommendations suggested in questions from members of the public and accepted.</b>	
	That this year's mailing of annual Council Tax notices to residents includes a statement from the Leader explaining why the Council has declared the CEE, what goals have been set, and in outline, how can residents and businesses support the Council's efforts to achieve carbon neutrality. And that each subsequent year a statement is sent to residents outlining the progress made in the preceding 12 months.
	Some other local authorities have issued bonds to raise funding for climate-related investments, for example West Berkshire's Community Municipal Investment bond which has reached 50% of its target of £1m and will be used to pay for solar panels on schools. Would the Executive investigate the feasibility of Herefordshire creating a similar investment bond.

Internal Governance;
<p>1</p> <p>a The Council should establish a politically proportionate Committee (the Climate and Ecological Emergency Policy Committee) with responsibility for directing the Council's response to the climate and ecological emergency. The Chairperson of that Committee may or may not be a cabinet member depending on the precise arrangements adopted by the council, but the Committee is to have primacy.</p> <p>B The Committee should take account of the proposed Future Generations Act.</p> <p>C The Committee should have some form of decision making powers in line with the future hybrid system of governance.</p> <p>D The Committee should have its own budget that facilitates it to fulfil its remit and initiate projects that will enable the council to make progress required with respect to the climate &amp; ecological emergency.</p> <p>E The Committee should be the focal point for all council climate change related work.</p> <p>F The Committee should receive regular reports from bodies charged with directing the countywide response to the climate and ecological emergency. The Committee would not duplicate this work but ensure that the council remained sighted upon it.</p> <p>G Research should be undertaken and consideration given to models adopted by other authorities reflecting these principles.</p>
<p>2 The existing county wide steering group was set up in 2019 to create the basis of a net zero, nature rich action plan and set up a new Partnership to adopt and drive forward the action plan. The Group recommends the following approach to a Partnership to deliver a countywide response to the climate and ecological emergency;</p> <p>a. A collaborative, open and transparent partnership body needs to be established to deliver the countywide response to the climate and ecological emergency.</p> <p>b. The Council should be represented on the partnership, should participate in it and make a robust contribution.</p> <p>c. Arrangements should be put in place to ensure regular feedback from the partnership to the Committee.</p> <p>d. Provision should be made for the membership of the partnership to include those who are responsible for the delivery of measures that are likely to be recommended to ensure that they are practical and capable of implementation.</p> <p>e. Provision should be made for the membership of the partnership to include a range of views to promote effective critical friend challenge.</p>
<p>3 On 12 July 2019 a Zero Carbon Citizens Assembly was agreed at full council. The executive response 26 September 2019 offered four options to be detailed in a forthcoming report. The Group recommend that the report should be produced and one of these options taken forward as a priority. This option should be delivered and supported by the council and feed into the Committee and Partnership to inform the work regarding the climate and ecological emergency.</p>
<p><b>To the executive</b></p>
<p>Resources</p>
<p>4 The executive should ensure that all relevant teams are sufficiently resourced to carry out all recommendations that are accepted.</p>
<p>5 A mandatory training element should be added to the Herefordshire Council staff online training service regarding the environment and personal responsibility to ensure all staff are clear on their own professional and personal role in the climate and ecological emergency</p>
<p><b>Working with the Local Government Association</b></p>
<p>6 Whilst discussing the issues around the climate and ecological emergency the Group felt it was important that the executive commit to work with the Local Government Association to;</p> <p>a. Press for a joined-up regulatory and enforcement framework on Natural Capital.</p>

b.	Support and encourage behaviour change around reducing unnecessary vehicle use and support sustainable transport.
c.	Ensure there is no gap between the Shared Prosperity Funding and the existing European Regional Development Fund.
7	<p>A dedicated communications officer in the Communications team is recommended to support environmental communications. Consideration should be given to the website, social media, active and passive promotion and engagement with the public including young people and schools to facilitate behaviour change. The officer should facilitate the following;</p> <p>a. The officer should link with the work of the Partnership to avoid duplication.</p> <p>b. A link to the section on climate and ecological emergency on the council's website should be promoted by a permanent banner at the top of the home page and the website pages relating to the environment should be more interactive to encourage more public involvement.</p> <p>c. The 'Newsroom' should reflect all news relating to the climate and ecological emergency and signpost to other sources of news on the climate and ecological emergency within the County.</p> <p>d. As a way of generating engagement, competitions and awards for innovative approaches to tackle the climate and ecological emergency should be promoted by the council and/or its partners.</p> <p>e. Good farming and land use practice should be actively promoted by the council, supporting existing work by the Wye &amp; Usk foundation and others, engaging in discussion with farming bodies.</p>
8	<p>Full account should be taken of the concept of Natural Capital (including air quality) making it the driver for all council decisions. The concept of Natural Capital could offer a different economic model with weight given to the environment's contribution to economic development;</p> <p>a. The Cabinet consider designating Natural Capital as a separate and distinct policy area in their portfolio of responsibilities and appoint a lead on it.</p> <p>b. The council should incorporate in tender assessment, criteria to take account of Natural Capital and prioritise support for low impact, sustainable local businesses as part of a progressive procurement policy that takes account of social value.</p>
9	<p>The Group recognises and endorses the continued focus on broadband infrastructure and recommends that hard to reach areas that are not possible to reach with cable services are provided impartial advice regarding mobile network solutions.</p>
10	<p>The Group recognises the importance of the Marches Local Enterprise Partnership (LEP) and the role they have to play in making progress with regards to the climate and ecological emergency. The Group recommends;</p> <p>a. A Natural Capital partnership with Marches authorities and the LEP should be explored.</p> <p>b. The executive should request that the LEP publically commit to support all three authorities to deliver on the net zero carbon targets.</p> <p>c. The executive should request the LEP review assessment criteria and consider taking account of Natural Capital. Support for low impact, sustainable local businesses could be prioritised as part of a progressive procurement policy that takes account of social value.</p> <p>d. The executive should raise with the LEP the issue of maize used as a feedstock for anaerobic digestion which causes environmental damage and request it reflects on the damage to Natural Capital as well as the road network.</p>
11	The Committee be consultees under the Core Strategy review.
12	Biodiversity net-gain should be a consideration in future planning applications through the Core Strategy review.
13	<p>Under the Core Strategy review the development of a new truly sustainable town to meet housing targets should be considered preferable to incremental growth. The town would include biodiversity net-gain, sustainable transport links and local renewable energy generation</p>



including a heat network. This should prevent broad countryside loss across the county and protect the historic nature of existing settlements.
14 The group recognises there is a definition of sustainability in the NPPF; “Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. However given the environmental and ecological emergency the group recommends that greater weight is given to “the ability of future generations to meet their own needs” through the Core Strategy review.
15 Good clear environmental policies should be developed, demonstrably supported by the evidence base, containing specific minimum standards that could then be enforced. A Supplementary Planning Document (SPD) should be produced to address the climate & ecological emergency
16 Local planning strategy to include nature recovery networks through the Core Strategy review.
17 The existing environmental and forthcoming ecology compliance checklists should sit in the pre validation stage of a planning applications where they will form part of our local list.
18 The executive should ensure that existing provisions and policies on climate change and ecology are given their maximum possible weight in the planning balance and consider whether consolidating these provisions would assist in providing a stronger focus on the issues and weight to be attributed to them.
19 Working in conjunction with the Environment Agency, manure management plans which have been used as mitigation in planning applications should be mapped and cross referenced and existing plans should be reviewed before new plans are issued to ensure land is not under multiple plans which would mean an exceedance would exist. Any exceedances should be reported to the Environment Agency.
20 A greater focus must be given within neighbourhood development plans (NDPs) to low carbon policies and green space and the scope for the neighbourhood planning team to provide greater encouragement to and support for such policies. A guidance note should be produced setting out the council’s expectations for provision of green space. This could include a checklist. The provision of green space as a condition for planning as well as retaining wildlife corridors, preventing the breaking up of wildlife corridors for individual plots and ensuring biodiversity net-gain should be included.
21 Consideration should be given to an SPD for new anaerobic digesters should prioritise feedstock which supports the circular economy and where it can be shown there will be no adverse effects on water quality.
22 With respect to flooding: a. No future development sites should be brought forward in Environment Agency designated flood zones 2 and 3 in order to allow these areas to sequester carbon, improve biodiversity and resilience. b. Actively investigate the causes of pluvial flooding and the discharge of water and sediments onto the public highway and carry out enforcement. c. Discussions take place with the LGA/EA local and national drainage authorities and other appropriate bodies to see how flooding issues can be addressed at a national level d. That there be a focus on actions that can be taken locally by council and partners e. Work with landowners from whose land flooding onto the highway is known to occur reminding them of their responsibilities
23 Where sites have already been identified for development, the council should be supporting local house builders to build sustainable housing.
24The council assess the potential for using s.106 monies to retrofit existing poorly performing housing stock in the county to improve thermal efficiency (Milton Keynes as an example
25 The Group recognises the good work of officers in signposting community groups to grant funding and recommends the council increases resources so it is able to support bids

through the application process and proactively drive bids in support of environmental projects with significant positive environmental outcomes
26 The council should continue to support and promote Keep Herefordshire Warm having regard to the importance of addressing fuel poverty and provide incentives and support to individuals to make behaviour changes to reduce carbon emissions.
27 The council should have sufficient expertise and resource to carry out proactive works to protect the natural environment with a focus on wider ecological concerns in addition to responding to planning applications. The council should therefore appoint a dedicated officer to carry out proactive works.
28 To immediately resource an update of the Biological Records, making the data contained therein an up to date and accurate benchmark from which to understand and enhance biodiversity in the County.
29 A soil strategy for the County should be produced as a matter of urgency
30 Improving biodiversity of hedgerows and trees; <ul style="list-style-type: none"> <li>a. Review the approach by statutory undertakers to rewilding verges.</li> <li>b. The council should adopt a Hedgerow Manifesto as part of the emerging tree strategy including ancient and semi natural woodland.</li> <li>c. That the business case for another cut and collect machine is developed.</li> <li>d. That training be provided on sustainable verge management as part of a Parish Summit meeting inviting other key stakeholders who look after green open spaces including lengthsman.</li> <li>e. Recognise the importance of effective communication in advance of any changes to explain them fully to the public.</li> </ul>
31 The council should, in consultation with Highways England, explore getting local authority verges in Herefordshire registered under Tier 3 for Environmental Land Management Schemes.
32 A strategic approach to biodiversity net-gain should be established, working alongside partners to aggregate biodiversity net-gain across the County and maximise the benefit. Carbon sequestration and offsetting should be pursued together with the scope for the County to benefit economically from these actions through the development of a business case. The Council should engage with other landowners highlighting the potential gain to them of tree planting and offer support to owners in growing; <ul style="list-style-type: none"> <li>a. A record should be kept of number of trees planted, and felled, their age, location and regrowth plan for example a running counter on the website since the declaration of the climate and ecological emergency.</li> <li>b. The council should explore options for an open market trading platform for biodiversity and carbon.</li> <li>c. The council should take every opportunity to expedite tree planting on council owned land where appropriate, including closed landfill sites.</li> </ul>
33 The council should urgently seek counsel advice regarding the implementation of a water protection zone to protect the special area of conservation (SAC) from diffuse agricultural pollution (Wye and tributaries).
34 The council should explore the use of council land for solar farms and where appropriate council car parks linked with EV charging points.
<b>Should a Climate and Ecological Emergency Policy Committee not be agreed or established the following recommendations should be made to the executive.</b>
35 The Committee should review all elements of the work so far on the climate and ecological emergency to ensure progress and avoid duplication of work. <ul style="list-style-type: none"> <li>a. Specifically the Committee should review the SPD and environmental and ecological checklists produced.</li> <li>b. The work of the Committee and others should guide the council's actions to ensure it is moving in the right direction.</li> </ul>

36	There is a need to explore where the council can support the work of the Environment Agency and work more closely together on mutual targets and ambitions regarding enforcement.
37	Good farming and land use practice should be actively promoted by the Committee, supporting existing work by the Wye & Usk foundation and others, with a view to setting up a Herefordshire local seal of quality. The produce should be promoted for example in a food festival, local farm shop or farmers market.
38	The council should work with Parish Councils and partners such as Sustrans and the Local Access Forum to map potential cycle and walking route extensions.
39	Strips of land alongside rural roads should be investigated to create cycle ways with a view to purchase or lease the land.
40	20 mph zones should be implemented across Hereford, the market towns and around schools, countywide.
41	Opportunities to support all schools in developing school travel plans noting the link to changing travel to school behaviour and wider travel behaviour of children and parents should be explored.
42	To address the issues of rural transport the council should pursue funding to support innovative transport schemes within the community sector including demand responsive transport (DRT), car clubs and low traffic neighbourhoods
43	A 'shop drop' scheme should be considered to support car-free city and town centres to enable shoppers to park on the outskirts and have shopping sustainably transported to their car, choose how you move location or bus stop. This should support existing 'first mile last mile' schemes. And investigate alternative delivery modes.
44	<p>Demand management should be further implemented, supported by robust communications and used to increase the provision of infrastructure to support active travel e.g.;</p> <ul style="list-style-type: none"> <li>a. Reduce on street parking and replace with infrastructure for cyclists and pedestrians.</li> <li>b. Work place levy operated by the council with funds used to increase uptake of active travel.</li> <li>c. Car parking charges to be based on emissions.</li> </ul>
45	The Group recognises the existing work by officers to support the retrofit of fuel poor households. It recommends an investigation into the potential for a local 'green deal' option potentially through the establishment of a social enterprise to support the retrofit of the largest domestic users of energy in the County
46	Consideration should be given to use of alternative fuel market for council fleet and contractors when vehicles/contractors are commissioned.
47	The use of hydrogen as an alternative fuel for long range vehicles or HGVs across the County should be explored
48	<p>A Natural Capital management plan should be drawn up with partners. A baseline should be established and the plan should;</p> <ul style="list-style-type: none"> <li>a. Ensure that its preservation and restoration are given equal weight to economic growth and development in the allocation of funding (particularly capital) and in the decision making process.</li> <li>b. Be used as a framework for positive and collaborative engagement with key partners to achieve a unified approach to remedy damage done to Natural Capital across the County</li> </ul>
49	A fund to be established to support businesses to contribute to carbon reduction or ecological restoration
50	The Group would recognise the excellent existing work of Talk Community and recommend it explore support and actively engage with single person households to improve or enhance resilience and prepared for the effects of the climate and ecological emergency.

51	Where the council provides schools meals they must be nutritious, locally sourced, low carbon and ethical
52	In terms of community gardens, the potential for using pockets of green space in the more urban areas for orchards/market gardens should be explored. A scheme be developed to facilitate residents in the countryside who cannot manage their gardens to find someone eager to make productive use of that land.
53	To recognise and properly protect the natural resource in Herefordshire the Committee should: <ul style="list-style-type: none"> <li>a. Consider the creation of additional areas of outstanding natural beauty (AONB).</li> <li>b. Support the Wye Valley (including the Monnow Valley) be a national park (see Glover Review) and explore other areas including the Golden Valley as well as link to the other Marches authorities to establish nature recovery networks.</li> <li>c. support protection of the County's SSIs and SACs</li> </ul>
<b>Additional Recommendations</b>	
	An article 4 suspension of the general permitted development order relating to temporary events of off-road motorsports, to develop a more considered approach to the sport which acknowledges its impact on environment and ecology should be made. (Previously under planning)
	The council should make a revolving loan fund available to victims of pluvial flooding caused by human activity, to seek legal redress. Cases and progress should be publicised.
	Proactively protect the ecology of potential development sites prior to planning permission being sought, mindful of implications for biodiversity net-gain.
	That this year's mailing of annual Council Tax notices to residents includes a statement from the Leader explaining why the Council has declared the CEE, what goals have been set, and in outline, how can residents and businesses support the Council's efforts to achieve carbon neutrality. And that each subsequent year a statement is sent to residents outlining the progress made in the preceding 12 months.
	Some other local authorities have issued bonds to raise funding for climate-related investments, for example West Berkshire's Community Municipal Investment bond which has reached 50% of its target of £1m and will be used to pay for solar panels on schools. Would the Executive investigate the feasibility of Herefordshire creating a similar investment bond.