

Minutes

Environment Overview and Scrutiny Committee

Tuesday, 14 March 2023, 10.00 am

Council Chamber – South Kesteven House, St. Peter's Hill, Grantham. NG31 6PZ



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Committee Members present

Councillor Nikki Manterfield (Chairman)

Councillor Gloria Johnson (Vice-Chairman)

Councillor Ashley Baxter

Councillor Ben Green

Councillor Murray Turner

Councillor Hannah Westropp

Cabinet Members present

Councillor Adam Stokes (Deputy Leader of the Council)

Councillor Mark Whittington (Cabinet Member for Waste Services and Climate Change)

Other Members present

Councillor Charmaine Morgan

Officers

Graham Watts (Assistant Director of Governance and Monitoring Officer)

Ayeisha Kirkham (Public Protection Manager)

Debbie Roberts (Head of Corporate Projects, Policy and Performance)

Serena Brown (Sustainability and Climate Change Officer)

Amy Pryde (Democratic Services Officer)

39. Public Speaking

Deanna Donovan – statement in relation to agenda item 8

The stated purpose of the Strategy is to “provide a framework for action for South Kesteven to reduce carbon emissions and safely adapt to the unavoidable impacts of climate change”. With the vision of the Strategy largely focused on carbon management and decarbonization, its ambition for adaptation seems to remain just that. While the words ‘adapt’ and ‘adaptation’ are repeated numerous times, they remain ill-defined and poorly delineated. Although the impacts of climate change are broadly set out, including implications, in Appendix A, what is proposed to encourage and ensure “adaptation to climate change is embedded” is unclear. This

Strategy fails to address the issue of building communities resistant to climate change impacts and resilient to the disruption that is undeniably and inevitably coming.

The proposed Strategy lacks the specificity to convince our citizens that adaptation is understood and that specific actions will be taken to enhance the resistance and resilience of our communities and economy to the pernicious impacts of climate change. Action within the specific focus areas outlined the Strategy seems fixated on decarbonization, ----yes, necessary but insufficient--- to build the required resilience. If you truly believe there is a Climate Emergency, then the priority should be the review and revision of SKDC policies, plans and programmes across the board, not only to incorporate but prioritize mitigation and adaptation objectives.

You acknowledge the need to better understand the impacts of climate change on residents, businesses and other partners but so far, and despite past promises, you have failed to conduct the risk assessment and thorough analysis that would allow the appropriate authorities to prioritize specific subject or geographic areas for action. We know the broad scale of risks facing Britain, even England, but what of our corner of England? Within this county, and this district, what are the specific threats that endanger our communities? And where do the response responsibilities lie when climate chaos occurs? We should not have to wait until disaster is on the doorstep before we begin to plan our preparedness.

As important as decarbonization is for all of us, you must recognize that the effect of your actions will have virtually no impact on the trajectory of environmental change as currently forecast. Given that the impacts of climate change are materializing faster than most climate scientists have projected, we no longer have the luxury of decades to prepare. If you truly want to minimize the loss, the suffering and the economic setbacks, you need to act now. The decarbonization and emissions reduction that you have set in motion over the past several years should be well on the way. Now you need to come up to speed with your ambition for adaptation. The most urgent need is for a thorough and professional risk assessment which should enable all to focus minds, engage collaborators and unlock greater efficiencies.

Climate change is a systemic risk requiring coordinated action, which you duly recognize. We all need to know what to expect in terms of physical risk, both chronic and acute, as well as transitional risk, which cumulatively will affect social, economic and financial conditions. Such analysis should inform and focus funding on future-proofing essential services and supply chains, key to resilient societies. The economic impacts of climate change will only accelerate and accumulate over time. Accordingly, I urge you to consider again what your goals should be for the coming year and to proceed more directly with addressing the issue of adaptation.

The Cabinet Member for Waste Services and Climate Change responded to the statement:

Firstly, thank you for taking the time to provide comment and feedback on South Kesteven's Climate Action Strategy. The document is broad reaching and aims to cover a number of issues and considerations across the board regarding climate change, and in particular how we can respond using our powers as a district council.

We are pleased to hear feedback that the document provides a lot of useful information around climate change and carbon emissions – it can be a tricky area to communicate with an adequate level of detail to inform decision making.

The scope of the document, set out in the Executive Summary, sets out that the Climate Action Strategy will consider key aspects of climate change, including both carbon reduction and to adaptation to living in a warmer world.

To date, over three-quarters of local authorities in the UK have declared a climate emergency and recognised the need to act in unison to help to meet the UK government's targets to achieve net-zero carbon emissions by 2050. South Kesteven cannot act alone and it is important to work in partnership on both climate change mitigation and adaptation.

The proposed next steps are to develop a following Climate Action Strategy – this is intended to set out specific focuses and streams of work for South Kesteven District Council to focus on to deliver on the broad remit set out in the document, across eight of the Policy Areas identified.

It is intended that workstreams on adaptation to climate change are taken forward through our Climate Action Plan, alongside projects which focus on opportunities to reduce carbon emissions. I look forward to being able to provide an update on the Climate Action Plan to the Council as projects develop.

Deanna Donovan – statement in relation to agenda item 9

I was pleased to see that you are forging ahead on the development of a Tree Strategy for South Kesteven. I must admit, however, that I was a bit disappointed in the narrow focus and lack of vision of this document. While the Tree Strategy as submitted aims to address climate change mitigation through carbon reduction, specifically carbon sequestration, it is weak on the potential contribution of tree planting to climate change adaptation. Although noting the many possible benefits of trees, it is doubtful that these potentials will be realized without more ambition and planning.

With regard to many of the potential benefits of trees, tree planting alone is not likely to deliver immediate benefits of any sort, unless one is planting very large trees, expensive both in and of themselves and in their installation. A more diverse, integrated planting is likely to offer benefits sooner, in terms of biodiversity as well as water absorption and soil development. Moreover, the benefits will be multiplied if planting is not limited to just any unoccupied ground available, but part of a coherent plan designed to capitalize on existing vegetation, enhancing its effect as

well as facilitating the movement of biodiversity through the landscape, among other things.

Tree planting should be integrated in an overall strategy to enhance connectivity, a concept totally missing from this document. Plants, animals and insects are already seen to be migrating poleward and to higher elevations in an attempt to adapt to a changing climate. In these attempts to save themselves and their species, they are hampered by among other things, urban settlement, industrial estates and open farmland, lacking the vegetative corridors that would permit them to move through these areas easily.

It should be noted as well that the enhanced biodiversity sought in this scheme should be not just in the tree species planted, but in the cultivars and provenances selected for any species. Climate change will very likely make the local environment inhospitable to traditional provenances of many local tree species. With this awareness we should be future-proofing any tree planting with provenances known to be resistant to the changing climate as well as the pests and diseases of these southern relatives.

Again to maximize the benefits from the proposed strategy, tree planting should be integrated into wider multi-layered vegetation scheme designed to provide a variety of social, economic and environmental benefits, including climate change mitigation and adaptation, such as strategic shading, biodiversity corridors and run-off absorption. One would hope that the additional expertise that you may secure (cf. sec 2.15-2.17) to assist with the development of this programme would understand the ecological concepts outlined above and assist the Council in lifting its ambitions to ensure that it delivers the full potential of benefits that a tree planting programme could and should provide.

The Cabinet Member for Waste Services and Climate Change responded to the statement:

The report provided to the Committee sets out the context of tree planting and the Council's intentions to develop a fuller Tree Strategy, to help deliver on some of the strategic ambitions set out within the Climate Action Strategy. The main Tree Strategy is yet to be developed and the update provided indicates to Councillors some of the work being pursued in order to see this come to fruition.

Specifically, it is recognised that tree planting can have an important role in adaptation to a warmer climate, provided the right tree is planted in the right place. It is expected that this will be at the heart of the developed Tree Strategy document.

Vanessa Smith

Does the committee think it sensible that SKDC continue to approve planning for large, particularly residential, development on land which, as stated in its own report, may be flooded in just 27 years time given the projected rise in sea level?

The Cabinet Member for Waste Services and Climate responded to the question submitted:

Information has been provided to the committee regarding projected flood risk, in support of the development of the Council's Climate Action Strategy. The map provided depicts land projected to be below the annual flood level as of 2050, which includes the water level that could be reached through a combination of sea level rise, tides and storm surge. It is noted that the maps provided incorporate big datasets and should be regarded as screening tools to identify locations that may require a deeper investigation of risk.

Regarding allocation of specific sites, flood risk is fully considered when allocating sites for development in the Local Plan for future development and also approving planning applications for development including new houses. The Environment Agency identifies flood risk zones based on the probability and the potential consequences of flooding. Areas identified at risk of flooding are those at risk of flooding from any source either now or in the future. This will include risks from a number of sources but does not include those areas at risk from changing sea levels.

Where a developer submits an application for planning permission, flood risk assessments are required to be submitted for the larger sites or where the site is identified as being in a flood risk assessment area. Flood Risk Assessments will need to consider all forms of flood risk, and this includes ground and surface water flooding as well as from coastal or rivers. The Council will consider these flood risk assessments and will also seek advice from consultees including the Environment Agency, the Drainage Boards and the Local Lead Flood Authority (Lincolnshire County Council).

Where sites are identified as being at risk, there are clear planning policies to be followed which can include the carrying out of a sequential test. Flood Risk Assessments will need to consider risks, including the risk from a 1 in 100 year plus climate change event. For sites with the greatest risk of flooding, a sequential test would need to be carried out which is the most effective way of addressing flood risk because it seeks to avoid the risk. All applications for planning permission will be assessed against National and Local Planning Policies, and where flood risk is an issue that cannot be avoided or mitigated then this will be reflected in the decision.

Flood risk and water environment policies contained within the adopted Local Plan are being reviewed through the emerging Local Plan which will be informed by an updated Strategic Flood Risk Assessment and a new Water Cycle Study. The Environment Agency has advised on the scope of the studies.

40. Apologies for absence

There were no apologies for absence received.

Councillor Ashley Baxter represented the Alliance SK vacancy at this meeting.

41. Disclosure of Interests

Councillor Ben Green declared that he was a full-time employee of the Woodland Trust and therefore would not participate in debate or vote on agenda item 9, Draft Policy on Tree Strategy.

42. Minutes from the meeting held on 23 November 2022

The minutes of the meeting held on 23 November 2022 were proposed, seconded, and **AGREED** as a correct record.

43. Minutes from the Joint Meeting of the Environment Overview and Scrutiny Committee and Rural and Communities Overview and Scrutiny Committee held on 6 February 2023

The minutes of the meeting held on 6 February 2023 were proposed, seconded, and **AGREED** as a correct record.

44. Updates from the previous meeting

Members noted the action sheet.

One Member queried whether there was any potential new funding relating to the Environment Act. The Environment Act was due to implement an obligation for the Council to collect paper, card and food waste.

The Cabinet Member for Waste Services and Climate Change highlighted that the Government had confirmed that the funding would become available, however, the amount of funding and the timeframe in receiving it had not yet been specified. An announcement in regard to food waste was expected within the coming weeks.

ACTION: For the Cabinet Member for Waste Services and Climate Change to contact the relevant department in Government on further clarity around the funding.

It was hoped that paper and card collection would be rolled out in early 2024.

A query was raised on the action relating to the Work Programme and that some of the items requested at the previous meeting were not included within the agenda.

The Chairman highlighted that the Animal Welfare Policy had been delayed in writing process due to unavoidable internal factors and demands of the department. It would be brought to the next meeting of the new Committee.

It was confirmed that the new Committee would also discuss ammonia pollution and progress on street lighting.

45. Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service

There were none.

(Councillor Gloria Johnson joined the meeting at 10:25).

46. Climate Action Strategy

The Cabinet Member for Waste Services and Climate Change emphasised that this was first draft presented and comments from Councillors, public, people with expertise were welcomed.

The Sustainability and Climate Change Officer provided a presentation to the Committee that outlined information in relation to the Climate Action Strategy:

- South Kesteven District Council's declaration of a climate emergency
- Climate change impacts locally
- Land projected to be below the annual flood level for 2025
- Climate Action Strategy overview
- The 2030 vision
- Climate Action Strategy format
- Climate Action Strategy structure
- Key district information
- Policy areas
- Monitoring progress
- Climate Action Plan
- Next steps

The Chairman suggested that the timeline of the document be amended to go out for public consultation initially before being heard by Cabinet.

The Cabinet Member for Waste Services and Climate Change confirmed that this was the first draft of the Strategy, and the next stage was public and professional consultation. It was suggested the document be brought back to the relevant Overview and Scrutiny Committee in the new term, before being heard by Cabinet and then Full Council.

It was noted that the 'monitoring progress' section of the Strategy showed that carbon emissions had reduced over the last 15 years, however, the reality of the reduction was inflicted by heavy industries no longer burning solid fuels. It was suggested that the 'monitoring progress' section of the strategy be removed and replaced with targets on current carbon emission statistics and what the Council aim to achieve in a particular timeframe.

The historic context of 38% carbon emission reduction achieved by the Council had been included within the Strategy. The national reduction in carbon emissions over

the last 15 years had been due in large part to the introduction of low-carbon electricity generation across the UK. It was noted that the rate of the reduction percentage achieved to date would not meet the Government net-zero target by 2050, if it continued on the same trajectory.

It was highlighted that the initial Strategy would have policies developed under the eight areas. At that point, specific projects would be taken forward and KPIs would be put into place.

One Member noted that the Strategy seemed inadequate for short term and long term to meet the impending problem of climate change. Page numbering, grammar and format concerns of the Strategy document were also raised.

A concern was raised that the Strategy lacked specificity and the Council had failed to conduct a risk analysis, particularly regarding adaptation to climate change. It was noted that meaningful smart targets were not included within the strategy for each of the eight areas outlined.

One Member emphasised that the main reduction in carbon emissions for the Council was due to the pandemic, change of office buildings to the Picture House and the closure of Deepings Leisure Centre.

It was clarified that all feedback was welcomed from Members, experts and public on the first draft provided of the Climate Action Strategy.

One Member requested that the next draft of the document contained an in-depth sense of urgency.

It was noted that holistic risks of climate change should be considered at a local and national level.

The Cabinet Member for Waste Services and Climate Change confirmed that smart objectives would be produced for each project proposed within the Climate Action Strategy.

It was queried as to whether consultation responses would be included and whether the document could be shortened.

The Sustainability and Climate Change Officer confirmed that formatting of the Strategy would be considered. The Strategy would be a static document, setting framework for action and the Climate Action Plan would be a live document which would integrate public consultation feedback received.

One Member highlighted that the Committee had discussed climate change in length. It was felt that the Strategy should be further developed for the timeframe of lengthy discussion taken place on the strategy.

It was noted that the Strategy could include immediate actions taken to mitigate the impact of climate change on residents within the district.

Members discussed the possibility of installing solar panels on Council assets.

A query was raised on whether grants were available from government to support residents and the Council for the installation of solar panels.

The Sustainability and Climate Change Officer highlighted that there were several sources of funding available including public sector buildings. A separate scheme for private households was available (Home Energy Upgrade Scheme) and was government funded to provide energy efficiency upgrades to eligible private households within the district.

One Member queried the methodology of solar panels and whether there was a designated Officer within the Council who took control of solar panels.

There was not an Officer who was solely responsible for the remit of solar panels. The main source of funding that could be considered for the Council's buildings would be a fabric first approach, where other efficiency measures such as insulation would be considered first.

One Member suggested that the Housing Revenue Account be utilised to install solar panels on the Council's housing stock, which would also reduce utility costs for lower income residents.

The intention of the Climate Action Plan was to use the eight policy areas and the objectives to set out the Council's projects and actions plans, which would be presented to the Committee at a future meeting.

One Member emphasised the need for a clear table of strategic risks within the Strategy.

It was noted that public consultation could not commence during the pre-election period for the election taking place on 6 May 2023.

The Cabinet Member for Waste Services and Climate Change suggested that communications be sent out to publicise the climate action strategy and to encourage feedback and comments from the public.

Members thanked all Officers involved in producing the first draft of the Climate Action Strategy.

It was proposed, seconded, and AGREED that the Committee:

1. Notes the content of the South Kesteven Climate Action Strategy

2. **Recommends that the Climate Action Strategy goes out to consultation and is then brought back to the relevant Overview and Scrutiny Committee.**
3. **Delegates to the Chief Finance Officer to take forward development of the Climate Action Plan.**

47. Draft Policy on Tree Strategy

The Cabinet Member for Waste Services and Climate Change highlighted the report that outlined information relating to the draft tree strategy.

The Sustainability and Climate Change Officer introduced the report which intended to provide an update around considerations for development of a tree strategy for South Kesteven.

The Council were responsible for approximately 6000 trees on owned and managed public spaces. A tree strategy would set out a level of canopy cover within South Kesteven and plot out potential areas for development of more tree planting and woodland creation opportunities.

The Council work closely with Lincolnshire County Council who had their own tree-planting target to cover the whole County area, with three quarters of a million trees by 2025. Lincolnshire County Council were intending to appoint 2 Woodland Creation Officer posts, who could assist in developing the Council's tree strategy and following planting opportunities.

One Member noted that 10,000 trees were planted in 2021/22 from funding given to Lincolnshire County Council. The funding had now been cut off; it was queried as to whether funding could potentially be requested from elsewhere.

The Cabinet Member for Waste Services and Climate Change highlighted that the bid for funding was for planting trees and to support an officer post to develop a tree strategy. The Woodland Trust would not provide any funding for tree planting until the Council had a tree strategy.

One Member raised concern over the loss of trees due to development, Environment Agency clearing river edges and Lincolnshire County Council removing trees and failing to replace them.

It was suggested that the Council identify the location of all trees within the district, prioritise the protection of trees, enhance the tree protection order process, explore biodiversity impacts, require appropriate replanting when trees are lost and the protection of orchards.

One Member expressed their disappointment on the time taken to start producing a tree strategy. It was suggested that the strategy be reduced in size for ease of reading.

A query was raised on whether it was guaranteed that Lincolnshire County Council would allow their newly appointed specialist Officers to assist in developing the Council's tree strategy.

The Sustainability and Climate Change Officer confirmed that communication had taken place with Lincolnshire County Council. They had received the Woodland Creation funding which was intended for Officer posts. The intention of these posts was to develop woodland creation opportunities across Lincolnshire. Lincolnshire County Council had indicated that they would be open to working with South Kesteven District Council on development of policies and strategies and for planting opportunities.

That the Committee:

Notes the update regarding the development of a Tree Strategy for the district of South Kesteven.

48. Environmental Crime Partnership Update

The Public Protection Manager presented the report on behalf of the Cabinet Member for People and Safer Communities. The report outlined an update on the Lincolnshire Environmental Crime Partnership and their annual report of 2022, which provided an overview of the achievements of the partnership and future ambitions.

The Lincolnshire Environmental Crime Partnership was formed in response to a noticeable rise in fly-tipping incidences across Lincolnshire over spring/summer of 2020, which included a large scale of more than 20 tonnes of fly tipping in South Kesteven.

The aim of the Lincolnshire Environmental Crime Partnership was to reduce and prevent fly-tipping across Lincolnshire by bringing all relevant agencies together and working in partnership, seeking to find new and innovative methods for closer working.

The partnership met 3-4 times a year and was governed by a term of reference, a key action plan and was formed by the Lincolnshire Waste Partnership in 2020.

It was clarified that 4 fixed penalty notices were issued, rather than 5 as stated in the report.

It was reported that South Kesteven had 1533 reports of fly tipping in 2022.

One Member highlighted the difficulty of collecting evidence and successful prosecutions due to being unable to identify the individual that has fly tipped. It was suggested whether motion activated CCTV could be installed in particular fly tipping 'hot spots' to identify individuals or numberplates of vehicles.

It was noted that regular fly-tipping took place from drivers on the A1 Road.

The Cabinet Member for Waste Services and Climate Change noted that 2022 fly-tipping figures cost over £60,000 to the Council taxpayers of South Kesteven. The Council had a dedicated 2-person crew who worked 5 days a week, the £60,000 covered wage costs, vehicle costs and costs to wards identification.

It was highlighted that where fly tipping evidence could identify an individual, prosecution would be given. If a householder had used an unlicensed waste carrier, they could face a fine. It was encouraged that householders requested to see a waste carriers license before their waste is collected.

The Cabinet Member for Waste Services and Climate Change confirmed that a lane closure would have to be in place in order to clear waste on the side of the A1 Road. National Highways were due to close a section of the A1 Road for drainage works in summer 2023. The Council's Waste Managers were currently liaising with National Highways in order to coincide the arrangement for operatives to volunteer to attend at night to collect waste from the side of the road.

A query was raised on whether any enforcement action could be taken on unlicensed waste carriers that advertise on social media. It was further queried as to whether advertisements on social media were monitored.

The Public Protection Manager informed the Committee that if Officers became aware of an unlicensed waste carrier advertising on social media, it would be investigated.

One Member congratulated the team on the improvement of response time to attending fly-tipping reports.

Members highlighted fly-tipping issues within their district wards.

It was queried as to whether the vulnerable land panel identifying high risk areas, included private land that affected residents of South Kesteven.

Concern was raised over landlord clearance fly-tipping and the cost-of-living crisis affecting residents being unable to pay a fee for removal of their waste.

The Public Protection Manager assured the Committee that the vulnerable land panel was trialing public land and larger areas where fly-tipping was taking place. Fly-tipping issues on private land within the district could be dealt with the Neighborhoods Team and enforcement action could be looked into.

One Member requested that statistics on fly-tipping be included within the next report, which would monitor the success of the partnership.

It was queried as to whether the Council were responsible for litter on the side of the A1 Road or whether National Highways were.

It was confirmed that National Highways were responsible for litter picking on motorways. The litter on the A1(M) was dealt with by National Highways, however, the A1 Road was to be dealt with by District Councils.

The Cabinet Member for Waste Services and Climate Change highlighted that the shared prosperity monies may be able to fund CCTV cameras for fly-tipping 'hotspots'.

That the Committee:

Notes the content of the Annual Report (2022) of the Lincolnshire Environmental Crime Partnership.

49. Work Programme 2022 - 2023

The Committee noted the Work Programme 2022-2023.

The Committee requested that the following items be included on the next agenda of the new Committee within the next term as an element of the Environment Overview and Scrutiny Committee:

- Climate Action Strategy
- Draft Policy on Tree Strategy
- Renewal of the Animal Welfare Policy

50. Any other business which the Chairman, by reason of special circumstances, decides is urgent

The Chairman thanked all Committee Members, members of the public and Officers that helped in supporting the Environment Overview and Scrutiny Committee.

51. Close of meeting

The Chairman of the meeting closed the meeting at 12:50.

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