

Minutes of a meeting of Scrutiny, Environment meeting held on 30th November 2022 at 10am in the Luttrell Room, County Hall. Taunton TA1 4DY.

Committee members present: Cllr Martin Dimery (Chair) Cllr Adam Boyden (vice-chair) Cllr Jo Roundell-Greene, Cllr Steve Ashton, Cllr Tom Power, Cllr Marcus Kravis, Cllr Alan Bradford, Cllr Henry Hobhouse, Cllr Harry Munt, Cllr Leigh Redman (as sub)

Non-committee members present: Cllr Rosemary Woods, Cllr Ros Wyke (virtual), Cllr Sue Osborne, Cllr Sarah Dyke (virtual) Cllr Tessa Munt (virtual) Cllr Ros Henley (virtual) Cllr Andy Dingwall (virtual) Cllr Hazel Prior-Sankey (virtual), Cllr Helen Kay (virtual) Cllr Richard Wilkins

Agenda item 1: Apologies for absence

Apologies for absence were received from Cllr Kathy Pearce (substituted by Cllr Leigh Redman) and Cllr Barry Clarke (virtual attendee)

Agenda item 2: Declarations of interest

No declarations of interest were received from members

Agenda item 3: Minutes from the previous meeting

The approval of the minutes of 24th October 2022 were deferred to the next meeting.

Agenda item 4: Public Question Time

There were no public questions received.

Agenda item 5: Scrutiny for Policies, Environment committee work programme.

The Governance Manager, Scrutiny advised members of the committee that the 22/23 Month 6 Budget Monitoring report has been brought to this committee as a one-off (usually taken to Scrutiny for Policies, Place committee only) at the request of the Executive.

The Governance Manager, Scrutiny also advised that at 12.30pm on the date of the next meeting on the 14th December, there would be a tour of B Block to showcase the decarbonisation of SCC estate for members of the Scrutiny, Environment committee. An email and appointment confirming this would follow after this meeting.

The following comments and questions were received from members of the committee-

- Considering this council's declaration of a climate emergency, this committee should be looking to acknowledge the gains that this Council is making by way of a tracker of similar, allowing opportunity for challenge along the way. The Director for Economic and Community Infrastructure (and Senior leadership lead officer for this committee) advised that officers are currently building a climate emergency tracker and that a report on this would be added to the January agenda.
- One member advised that the meeting of the 14th of December 2022 would clash with a Sedgemoor District Council meeting, and therefore he would be unable to attend.
- There is a need to look at streetlighting and the use of LED's as standard in Somerset. The Director ECI advised that the ECI operations team are looking at streetlighting currently, including issues regarding the vulnerable (i.e. those in rural areas who may be at risk of crime due to lack of streetlighting) and that a report would be brought to members as soon as possible,

Agenda item 6: 2022/23 Budget Monitoring Report – Month 6

Cllr Liz Leyshon, Lead Member for Finance advised that she had asked for this budget update to come to this committee to help members understand the unprecedented financial pressures the council is facing, that have never been seen before.

The Lead Accountant then walked members through the figures as shown in the published report and the following comments and questions were received:

- Will this affect the likelihood of being able to follow through with environmental policies? Cllr Liz Leyshon, Lead member Finance advised that there are many projects being carried out across the council and that the environmental thread must be considered on each of those. This committee has the responsibility to continue to pressurise the executive to continue to consider all environmental aspects of every project that the council undertakes.
- The 40% increase of costs in farming is quite shocking.
- Cllr Liz Leyshon, Lead member Finance suggested that members look at the external auditor's audit findings report for 21/22, which provides more detail on environmental impacts of the budget gap.
- Regarding the opening of Comeytrow School as this Council's first PassivHaus designed school, is this Council going to be doing more of this in the future? Cllr Tessa Munt advised that the council will be building schools that are equivalent to PassivHaus standards in the future.

Members noted the recommendations as set out in the report.

2. Recommendations

- a) Note the forecast overspend of £21.2m (section 12) and the key risks, future issues and opportunities detailed in the report which will be closely monitored and updated throughout the year.

- b) Note the forecast position of the capital programme and potential underspend at the end of the current programme.
- c) Approve the removal of £1.1m of borrowing approval from the capital programme for Adult Social Care, noting this funding is now surplus to requirements.
- d) Note the additional external funding that has been added to the capital programme in this quarter.

Agenda item 7: Phosphates issues: Overview and actions agreed from the phosphates summit

The Service Manager for Development and Planning provided members with a presentation to accompany the written report as published, regarding the Phosphates Summit held on the 1st November 2022.

- There are currently 18,000 residential units on hold due to phosphates issue. Nationally this figure is around 100,000 residential units. It is important that County and District councils work together to tackle this.
- Members to approve the establishment of an officer/member working group to address these issues going forward.
- The key messages from the report are-
 - "From December 2022 will approach landowners in a targeted way to invite them to offer their land as potential sites for nutrient mitigation."
 - "We will formally launch the scheme by inviting applications for credits from developers before the end of March 2023."
 - DLUHC will update the Planning Practice Guidance on the application of the Habitats Regulation Assessment in this regard and consider additional revisions as necessary
 - Natural England will launch the scheme by inviting applications from developers for mitigation certificates or credits from March 2023.
 - Developers will submit the certificate to LPAs as part of the planning process providing assurance to LPAs that they can satisfy nutrient neutrality planning conditions.
 - Credits are to be distributed, and the scheme will not allow banking of credits by developers

The following comments and questions were received from members-

- This report does not mention lowering phosphates at Ramsar sites. Following does not fix the problem. We need to install waterways around Ramsar sights to solve the problems. Hysteresis (mud at the bottom of rivers that is full of phosphates) isn't going to go away with the measures outlined in this report.
- Wessex water (sewage works and processing plants) add phosphates to water systems. This is not mentioned in this report.

- Cllr Ros Wyke advised that this is a wide spectrum issue, which is why this member/officer working group will be so important. The government has announced some measures, but there is a need for more localised solutions that work as 'one voice' in Somerset to tackle the issue.
- There is a conflict between financial and environmental pressures here, and this needs to be considered very quickly, adding that this is a very serious situation for Somerset. The Director ECI advised that the working group would include officers from both Economic and Environmental service areas.
- SAGIS is not an eco-system, it's an ICT system. There is a paper that reports that 90% of phosphates is from human sources, farming and agriculture is only 10%.
- Regarding holding Wessex Water to account, Cllr Tessa Munt advised that the working group would be taking this forward with Wessex Water as 'one voice' for Somerset.
- We are stuck between a rock and hard place and it's a very difficult subject. This has slowed down housing and this is causing major social issues such as homelessness and overpopulation of less affected areas like Frome. Cllr Ros Wyke agreed that this is such a complex issue and agreed with the Director ECI regarding the timing of communications between the member/office working group, Wessex water, and this Scrutiny committee. She would be happy to come back and update this committee when the timing is right.
- There is a House of Commons sub-committee questioning water companies to understand how much sewage is coming out of septic plants. The councillor questioned the validity of the responses from Wessex Water to the House of Commons on this.
- Membership of the working group – how will this work? The Director ECI is working on a list of members and officers with suitable knowledge and experience to progress this work.

Members noted the recommendations/considerations as published in the report

2 Considerations/recommendations

- 2.1** On 1 November 2022 Members and Officer undertook a phosphate workshop on the issue. The purpose of the workshop was to develop a shared understanding of the problem, review progress to date and then to consider next steps and priorities.
- 2.2** It was agreed to set up a Member/Officer working group involving members and officers – and this is the recommendation of this paper.

Agenda item 8: Areas of Outstanding Natural Beauty Quantock Hills

Iain Porter, Area of Outstanding Natural Beauty Manager Quantock Hills gave members a overview of the published report with a series of slides.

There are 46 AONB's in the UK and all are very different.

Quantock Hills AONB key points-

- Heathlands area is the largest in the Southwest region.
- Woodlands make up 29% of the total AONB
- Farmlands make up just over 50% of the AONB
- There is a small part of the Jurassic coastline within the AONB which is rich in fossils

AONB Partnership key points -

- Designated in 1956
- Has a committee of 18 members
- Currently going through governance review regarding impacts of LGR

AONB Service team key points -

- Experts funded from DEFRA
- Projects and programmes teams
- Huge wealth of volunteers with a contribution of over 3500 hours of time.

AONB Priorities key points-

- Nature recovery – LIS, GQLDF and Levels up
- Climate change – tree planting, tree health, agricultural resilience, natural flood management
- Agricultural transition plan - Input management, technology innovation, log grazing, farming engagement programmes, farming grants, countryside stewardship.
- Using the natural environment to boost health and wellbeing

AONB People key points -

- Training and funding for young people and long term unemployed
- Land management kills scheme funded by Quantock Hills AONB.
- Volunteers

AONBS The future - Government Landscapes review 2019.

- Revised purposes and duties (under levelling up bill)
- Revised governance
- Change of name to National Landscapes.

The following Comments and questions were received from members -

- The apprenticeship scheme is very impressive.

- Cllr Dixie Darch, Associate Lead Member for Environment commented that this is a great example of an integrated approach between the environment, skills and training, arts and culture, leisure and tourism etc...
- There are unseen benefits in that landscapes are protected from unwanted development. What are the prospects of getting this AONB expanded? The AONB Manager advised that these boundary reviews take 20 years to do historically, but there is a hope that this will be progressed more quickly as part of the Government Landscapes Review 2019.
- How can landscape management contribute to lowering carbon emissions in this county? What is the best land management approach for this area?
- One member paid tribute to Cllr Anthony Trollope who knew every inch of the Quantock Hills and felt that these areas are so important and must be protected.
- Cllr Sarah Dyke, Executive Leader member commended the presentation and added that she is very excited about the work that is going on at The Quantock Hills and all AONB's in Somerset.
- Does this council fund the AONB's? The AONB Manager confirmed that for the Quantocks the Council contribution is £44k per annum, adding that a large chunk of funding comes from DEFRA.
- Is there a push for any boundary changes on the Quantocks? The AONB advised that consideration is given to neighbouring communities looking to be included in an AONB boundary.

Members agreed to the recommendations as at paragraph 2 of the report -

2.1 Members are asked to consider and note the update.

[BREAK 12 - 12.10]

Agenda item 9: Local Nature Recovery Strategy update

Introduction and presentation from Jon Doyle Strategic Manager Community Infrastructure, Climate and Flood Management gave a presentation on the development of the Local Nature Recovery Strategy. Key points from this presentation included -

- The LNRS is a Statutory requirement of the Environment Act 2021.
- The LNRS Establishes priorities for specific actions for nature recovery.
- DEFRA will assign a responsible authority and Somerset County Council have been asked to be the responsible authority to develop this strategy in Somerset.
- The LNRS is a powerful tool to help public and private sectors to work collaboratively together to drive nature recovery.
- We are still awaiting guidance from DEFRA and Natural England to progress the strategy further.
- Outline approach and progress to date (copy text from slide)

- Clarity needs to be sought on primacy and timings of planning legislation and we await guidance on this.

The following comments and questions were received from members -

- Regarding planning policy, does the LRNS have any legal weight in this currently? The Strategic Manager Community Infrastructure, Climate and Flood Management advised that the Council is awaiting further planning policy guidance, but that currently the guidance states that developers should 'give regard' to LNRS's.
- Is this short list of priority projects dependant on funding, or just the guidance? Can some projects get started without the guidance, or is it all on hold pending the guidance? The Strategic Manager Community Infrastructure Climate and Flood Mgmt. advised that this is very much a wait and see at this time.
- The Director for Economic, Communities and Infrastructure advised that a lot of this work is about knitting together many of the existing networks to make the best nature recovery strategy for somerset. SEED funding is very limited though, so we need to be realistic about what we can do.
- Regarding a suggestion for a member Task and Finish project on this, The Director ECI felt that there is a need to establish the parameters of what the council's role will be in this piece of work before it can be opened up in a member task and finish setting.

Members agreed to the recommendations as at paragraph 2 of the report

2.1 Members are asked to consider and note the update.

Agenda item 10: Draft S19 investigation reports for Chard and Ilminster

Jon Doyle, Strategic Manager Community Infrastructure, Climate and Flood Manager began by explaining that a former Service Manager in Flood Management presented the initial findings on these investigations to Scrutiny for Policies, Place committee last year. He advised that these reports are concerning two extreme weather events, 29th June 2021 Chard and 20th October Ilminster. There was a second incident in Chard, and this will come to the committee in due course.

Headlines for 28th June 2021 Chard incident report -

- Exceptional rainfall (1 in 300-year event) and massive overland flows from the fields
- Local drainage systems overwhelmed.
- Substantial debris due to damaged roads and powerful flows
- Downstream properties and business were flooded resulting in major disruption
- Main cause was exceptional amount of rain and overland flows from the fields
- Local topography of road layouts including steep roads on the north and west of the town

- The committee were shown maps and photographs of the worst affected areas.
- Not just Chard itself, many surrounding areas affected: Combe St Nicholas, Nimmer and Wadford, Forton, Tatworth, Wambrook, Lower Coombes, Chaffcombe, Scrapton Lane, Whitesaunton.
- A number of consultations and site visits to gain intelligence and evidence to inform the investigation. Including Multi-agency emergency meetings, site visits, public meetings to gain further intelligence.
- Iterations of the Draft report have undertaken reviews coordinated by the Chard Area Resilience Group, the South Somerset Area West Committee, Wessex Water and The Environment Agency

The following comments and questions were received from members –

- North Petherton had the same problem. When that amount of rain comes down there is very little we can do about it.
- West Camel and Queen Camel had the same and they have installed mitigation measures i.e., anti-flood devices for each house.
- We must accept that nature is stronger than anything we can do to mitigate it. Flood water will find a way and with climate change this is going to become more common.
- Communications with communities needs to be better and although we can't stop the flooding, we can make sure communities are better prepared.
- Wincanton also experiencing flooding. Highways have investigated and clarified that it's because drains can't cope with the rainfall. As councillors can we do something about this?

Headlines for 20th Ilminster 2021 incident report -

- Severe flooding took place in Ilminster and Sea on the 20th of October 2021. High rainfall on the back of previous wet weather created high river flows and overland surface water flows in the area
- The overarching problem was a combination of the very high rainfall and the already wet ground conditions following recent rain in the preceding period, making October a very wet month overall.
- This is combined with a relatively impermeable underlying geology and soils, which would have had very little moisture deficit to absorb more rain. Hence the Isle experienced its highest water level in 30 years gauge history. The resultant flooding was well beyond what any residents of the area had seen in their lifetimes and flows on the river Isle were the highest recorded.
- This created two issues – the Isle coming out of its bank and flooding areas to the west of town, and rainwater accumulating in North Street, Ditton Street and Shudrick Lane.
- Consultations on iterations of this draft report have taken place with Chard Area Resilience Group, South Somerset Area West committee, Wessex Water and The Environment Agency. Public meetings/drop-in sessions to gain knowledge and intelligence on those effected have been held.

- Integrated Catchment Study completed, multi-agency meeting held, Community drop-in event, multi-agency debrief event, Working Group weekly meetings led by EA with LLFA attendance.
- Continuing to work with EA to develop catchment (fluvial and surface water) view.

The following comments and questions were received by members –

- Cllr Sue Osborne, county councillor for the Ilminster division thanked the officers of this council for all of the work they are doing on this, and also thanked Ilminster Town Council for all of the work that they are doing on finding mitigating solutions for the residents of Ilminster and surrounding areas who feel at risk of future flooding.
- Regarding agriculture and the use of direct drilling as opposed to traditional ploughing to aerate the land and allow it to drain effectively. Is this having an impact on run off from farmland?
- Regarding run off from built environment, should we be putting more pressure on developers to manage SUDS.
- We need to focus on installing appropriate drainage solutions to manage during periods of heavy rain. i.e., Hong Kong have drainage designed for tropical rainstorms.
- Under a government funded scheme, homeowners in West Camel are putting their own barriers in place to protect their properties. Can this funding be used in the areas identified in these reports?
- There's always an engineering solution to these things, but the problem is cost.
- This creates serious problems for people looking to buy homes in these areas. Mortgage applications may be declined as a result of the difficulty in finding insurance for these high-risk properties.

Members noted the recommendation as set out in the report at paragraph 2

2.1 Members are asked to consider and note the contents of the draft reports and provide feedback on any factual inaccuracies and upon any of the recommendations contained therein prior to their finalisation and publication, as required by the Flood and Water Management Act (2010).

Agenda item 11: Any other items of business

There were no other items of business raised by the Chair.

[MEETING CLOSED 1.51pm]