

## ENVIRONMENT SELECT COMMITTEE

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### MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 23 APRIL 2019 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

#### Present:

Cllr Bob Jones MBE (Vice-Chairman), Cllr Derek Brown OBE, Cllr Peter Evans, Cllr Peter Fuller, Cllr Mike Hewitt, Cllr Tony Jackson, Cllr Jacqui Lay, Cllr Ian McLennan, Cllr Nick Murry, Cllr Steve Oldrieve, Cllr Tom Rounds, Cllr Brian Mathew (Substitute) and Cllr John Smale (Chairman)

#### Also Present:

Cllr Robert Yuill, Cllr Ben Anderson, Cllr Ian Blair-Pilling, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Darren Henry, Cllr Ashley O'Neill, Cllr Baroness Scott of Bybrook OBE, Cllr Philip Whitehead, Cllr Jerry Wickham and Cllr Graham Wright

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#### 31 Apologies

Apologies for absence were received from Cllr Clare Cape.

Cllr Cape was substituted by Cllr Brian Mathew.

#### 32 Minutes of the Previous Meeting

The minutes of the meeting held on 12 March 2019 were approved as an accurate record, subject to the inclusion of the following wording at minute 27:

- Cllr Oldrieve asked if recent evidence from Denmark on Housing First would be included in the Homelessness Strategy's Task Group's work. As Chairman of the Task Group, Cllr Wright confirmed that this would be included in the Task Group's work.

#### 33 Declarations of Interest

There were no declarations of interest.

#### 34 Chairman's Announcements

The Committee received the following Chairman's announcements:

## 1. Killed and Seriously Injured Incidences

The announcement provided an update on the killed and seriously injured incidences, following consideration of the Highways Annual Review of Service at the Environment Select Committee on 6 November 2018.

The Director for Highways and Environment responded to questions about motorbike and cyclist accident statistics. He confirmed that the figures relied upon information provided by Wiltshire Police, and the majority of accidents were the result of human error.

## 2. Public Transport Review Update

The announcement provided an update on the Public Transport Review. The Committee noted that the Department of Transport decided to conduct a consultation on Section 19 and 22 permits for not-for-profit passenger transport, and following this, new guidance was published by the Government on 15 March 2019.

The Head of Passenger Transport explained that a Judicial Review was currently taking place about the definition of 'non-commercial' within the Government guidance and in the interim period, whilst a decision is being considered, the Council would continue to issue permits.

### **Resolved:**

1. That the Director for Highways and Environment provide further statistical information in relation to the motorbike and cyclist accidents to a future meeting of the Committee.
2. That the Head of Passenger Transport provide a statement from the Council outlining the latest position of the Public transport review, and that a full update be considered by the Committee at its meeting to be held on 18 June 2019.

## 35 **Public Participation**

There was no public participation.

## 36 **Award of the New Highways Term Consultancy Contract**

The Committee received an update report on the current position regarding the award of a new Highways Term Consultancy Contract.

The Committee were informed that the current contract, which provides technical support and assistance to the Council for the provision of essential

highway and related services, comes to an end on 30 November 2019. The update identified how the tender process and evaluation would be undertaken.

It was noted that the tender evaluation and moderation process was expected to be complete in June 2019, with a report being considered by Cabinet on 11 June 2019. An update on the outcome of the tender assessment process would also be provided to this Committee once the assessment is complete.

Cllr Bridget Wayman, Cabinet Member for Highways, Transport and Waste and Director of Highways and Environment responded to questions about the quality of work undertaken during the current contract and the importance of reporting issues to the Council.

**Resolved: To receive an update on the outcome of the tender assessment process at the next meeting of the Committee on 18 June 2019.**

### 37 **Waste Management**

The Committee considered the report of the Director of Waste and Environment which provided information about the actions taken in response to fly tipping during 2018/19 and addresses other issues arising from the Executive Response to the final report of the Waste Contracts Task Group provided by the Cabinet Member for Highways, Transport and Waste.

Cllr Bridget Wayman, Cabinet member for Highways, Transport and Waste and the Director for Waste and Environment, responded to a number of issues and comments from the Committee. In particular, the following issues and comments were raised:

- The number of enforcement reports investigated compared to the number of prosecutions.
- The number of fixed penalty notices issued.
- The possibility of seizing vehicles used by fly-tippers.
- The use of covert and overt surveillance and the regulation of covert surveillance under the Regulation of Investigatory Powers Act 2000.
- The number of fly-tipping prosecutions to be included in the Town and Parish Council's Newsletter.

The Cabinet member for Highways, Transport and Waste reported that the number of tipping incidents reported between April 2018 and March 2019 had reduced by about 10% compared to the previous year. The Cabinet member confirmed that the Council would prosecute where evidence is available.

**Resolved: To endorse the work that Waste are doing using covert surveillance to address the issue of fly-tipping in Wiltshire.**

### 38 **Air Quality Strategy**

The Committee considered the report of the Director of Public Health and Public Protection seeking the views of the Committee on the draft Air Quality Strategy prior to public consultation and subsequent consideration by Cabinet.

Cllr Ben Anderson, Portfolio holder for Public Health and Public Protection introduced the report and explained that local authorities had a duty to monitor air quality within their areas having regard to national air quality objectives and standards and report this information to the Department for Environment, Food and Rural Affairs annually. The existing Wiltshire Air Quality Strategy needs to be refreshed as it was originally published in 2011. He explained that Wiltshire enjoyed good air quality in the vast majority of its towns and villages. However, there were currently eight Air Quality Management Areas in Wiltshire where traffic related pollution levels exceeded national standards. The areas included Bradford on Avon, Calne, Devizes, Marlborough, Salisbury (3) and Westbury.

The Committee noted that it was generally difficult to achieve improvements in air quality as they rely on individuals, businesses and communities changing their travel behaviour. Given this, the strategy recognised that improving areas of poor air quality can only be achieved by working collaboratively across the council, and with local communities and other relevant organisations and agencies.

Cllr Jerry Wickham, Cabinet Member for Adult Social Care, Public Health and Public Protection, and Cllr Ben Anderson, Portfolio Holder for Public Health and Public Protection responded to a number of issues and comments from the Committee. In particular, the following issues and comments were raised:

- Concern about the increase in Air Quality Management Areas from 4 to 8 over the last few years and the need to implement plans to see improvements in the air quality in those areas.
- Details about local community action plans not specified in the Strategy document.
- It was recognised that poor air quality across Wiltshire was due to standing traffic in towns.
- The need for the Air Quality Strategy outcomes to be connected to the Transport Strategy.
- Encourage the measurement and consideration of particulates below 2.5 in the Strategy.
- The connection between the Air Quality Strategy and other Council Strategies.
- Discussions required at a local level and encourage input from communities in measuring air quality to make it easier for the Council to respond.
- Encourage lobbying for additional funds and monitoring of air quality in appropriate areas.
- Lack of financial support from the Government to reduce the impact of diesel vehicles and accelerate the move to cleaner transport.
- Difficulties of measuring down to 2.5microns to be included in the Strategy.

Cllr Oldrieve, seconded by Cllr Murry, moved that the Cabinet Member for Adult Social Care, Public Health and Public Protection and Portfolio Holder for Public Health and Public Protection to review the Strategy before submitting it to the Cabinet for approval and for the Strategy to include a response to Wiltshire's air quality on a risk basis, as well as how the Council would specifically tackle the 8 Air Quality Management Areas. The move was not supported by the majority of the Committee.

Cllr Anderson confirmed that he would take into account a number of comments made by the Committee and incorporate them in the Strategy where appropriate.

**Resolved:**

- 1. Notes the draft strategy.**
- 2. Agrees for the comments from the Committee to be incorporated in to the draft document, as detailed below:**
  - a. Monitoring of air quality by communities.**
  - b. To highlight in the Air Quality Strategy the links to other Council Strategies.**
  - c. Focus more on monitoring of air quality**
- 3. Approves the strategy being considered by the Health and Wellbeing Board prior to approval by Cabinet.**

39 **ECO Board: Annual Update**

The Committee considered the report of the Executive Director, Growth, Investment and Place which provided an annual update of the ECO Board on their progress and future plans. The report also included detail on actions taken by the Board over the past 12 months, as requested by the Committee at their meeting on 12 March 2019.

Cllr Toby Sturgis, Cabinet Member for Spatial Planning, Development Management and Property introduced the report and explained that local authorities had a range of responsibilities relating to climate change, and required a framework for discharging these responsibilities in the form of a strategy. Wiltshire Council was a signatory of the Climate Local Initiative, which committed the council to continually identify ways of saving money on energy bills, reduce carbon emissions, reduce flood risks and managing the impacts of extreme weather. The Council has developed an Energy Change and Opportunity (ECO) Strategy, which sets out the Council's ambition to reduce its carbon emissions and lead the county's low carbon transition and prepare for climate change. The ECO Board was charged with overseeing the delivery of the ECO Strategy and approve and monitor the delivery of the Action Plans listed in the report.

The Committee noted that the Council has produced a Core Strategy for the county which identified addressing climate change as a key strategic objective and detailed a number of policies to be delivered. Cllr Sturgis reported that a majority of Action Plans had met their targets and actions as originally set out. However, some Action Plans approved by the ECO Board are being reviewed periodically by the lead service directorates as part of their implementation.

Cllr Sturgis responded to a number of issues and comments from the Committee. In particular, the following issues and comments were raised:

- The recycling and composting rate and the ambition to set a new target.
- Future meetings of the ECO Board, in light of the establishment of a Climate Change Task Group.
- Encouraging communities to increase recycling and reduce the amount of waste created.

**Resolved: To endorse the continuance of the ECO Board until the Climate Change Task Group commences.**

40 **Referral from Full Council and OS Management Committee: Notices of Motion on Climate Change, the Environment and Global Warming**

The Committee considered the report of the Lead Scrutiny Officer which (i) Presented two Notices of Motion passed by Full Council on 28 February 2019 that reference involvement from Overview and Scrutiny (OS); (ii) Invited the Environment Select Committee to establish a task group to undertake the work outlined in the report, as requested by OS Management Committee on 26 March 2019; and (iii) Presented information to support councillors' consideration of how the actions set out in the motions could be addressed, set out in Appendix 1 of the report.

The Committee heard from (i) Cllr Wright, Chair of the OS Management Committee, who reported that the OS Management Committee were overwhelmingly in support of the issue being considered by a Task Group of the Environment Select Committee; (ii) Cllr Whitehead, Cabinet Member for Finance, Procurement, ICT and Operational Assets, who spoke to his motion that was agreed by Full Council in February 2019; and (iii) Cllr Toby Sturgis, Cabinet Member for Spatial Planning, Development Management and Property, who reported that climate change policies were already included in the Wiltshire Core Strategy 2006-2026. He reminded the Committee that any new proposals arising from the work of the Task Group relating to Spatial Planning and Development Management would need to be evidence based and financially viable, as the proposals would be examined by the Planning Inspector. Cllr Sturgis confirmed that he would be pleased to offer any advice and respond to questions and comments from the Task Group.

The Committee noted that the current Director for Waste and Environment would provide the lead and support the Task Group in its development of

recommendations and plan to achieve the pledge referred to in the motions to Full Council along with the undertaking of a carbon/renewables audit.

The Committee commented on a number of issues that the Task Group would need to consider, including the following:

- Advice from the Council's Monitoring Officer and Section 151 Officer on the scope and framework that the Task Group can work within.
- Realistic expectations required by the public in relation to (i) what the Council can do versus what the public can do; (ii) The Council working in partnership to become carbon neutral; (iii) the organisations to be involved to enable Wiltshire to become carbon neutral.
- The production of a set of definitions by the Task Group to be included in the Terms of Reference, for example carbon neutral, county of Wiltshire.
- Setting out what the Task Group want to achieve for Wiltshire.
- The definition of County of Wiltshire i.e. council owned buildings, and the areas that the Council can influence, e.g. planning, farming (gaining carbon neutrality).
- The need for the Task Group to work in accordance with the Council's Constitution.

**Resolved:**

- 1. As requested by Full Council and Overview and Scrutiny Management Committee, to establish a task group to:**
  - a) develop recommendations and a plan to achieve making the county of Wiltshire carbon neutral by 2030 along with undertaking a carbon / renewables audit;**
  - b) agree parameters with the relevant Cabinet Member or Portfolio Holder that represent the council impact on the environment and can be accurately reported to council on a regular basis, to potentially include those measures suggested in the motion to Full Council;**
  - c) for the Task Group to consider information collected from the Rapid Scrutiny: Plastic Waste in Wiltshire's roads; and**
  - d) and for all comments from today's debate to be considered by the Task Group**
- 2. Task Group to devise draft terms of reference, to be brought back to the Environment Select Committee on 18<sup>th</sup> June for endorsement.**
- 3. For the Environment Select Committee Chairman and Vice-Chairman to determine the final task group membership.**

#### 41 **Updates from task groups and representatives on programme boards**

The Committee received the following updates:

- Homelessness Strategy Task Group - Cllr Graham Wright, Chairman of the Task Group, provided an update on recent activity of the Task Group, in particular the meeting held on 11 March 2019. In addition, the Committee were asked to endorse a change to the membership of the Task Group and seek a member from Salisbury who would be willing to serve on the Task Group.
- Late-Night Taxi Fares Task Group – Cllrs Brown, McLennan and Peter Evans provided updates on the work of the Task Group. It was noted that following this Committee’s consideration of the task Groups final report, the Licensing Committee also considered the final report at their meeting held on 11 March 2019. The Committee noted that the Licensing Committee agreed to set up a Working Group to consider the taxi tariffs across Wiltshire. The Scrutiny Lead Officer explained that the Group would be seeking further information on taxi tariffs in addition to the work already carried out by the Task Group.

#### **Resolved:**

1. **To note the updates.**
2. **To endorse the stepping-down of Cllr John Walsh and Cllr Matthew Dean from the Homelessness Strategy Task Group, and the Group continuing to operate with six members, as follows:**
  - **Cllr David Halik**
  - **Cllr Deborah Halik**
  - **Cllr Gordon King**
  - **Cllr Pip Ridout**
  - **Cllr Tom Rounds**
  - **Cllr Graham Wright**
3. **To seek a member from Salisbury to serve on the Homelessness Task Group.**

#### 42 **Forward Work Programme**

The Senior Scrutiny Officer introduced the Committee’s Forward Work Programme, asked for confirmation about how to progress a number of items and provided updates on the Committee’s work scheduled for the forthcoming meeting on 18 June 2019.

The Chairman confirmed that an update from the Climate Change Task Group would be received at the meeting to be held on 18 June 2019. This update would be received under the standard agenda item of ‘Updates from task groups and representatives on programme boards’.



**Resolved: To note the Forward Work Programme.**

43 **Urgent Items**

There were no urgent items.

44 **Date of Next Meeting**

The date of the next meeting was confirmed as 18 June 2019.

(Duration of meeting: 10.30 am - 12.40 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services,  
direct line 01225 718221, e-mail [stuart.figini@wiltshire.gov.uk](mailto:stuart.figini@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115