

ENVIRONMENT SELECT COMMITTEE

MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 30 AUGUST 2012 AT COUNCIL CHAMBER, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Chuck Berry, Cllr Rosemary Brown, Cllr Nigel Carter, Cllr Christopher Cochrane, Cllr Jose Green, Cllr Alan Hill (Vice Chairman), Cllr Jon Hubbard (Chairman), Cllr Chris Humphries, Cllr George Jeans (Substitute), Cllr Ian McLennan and Cllr Anthony Trotman (Substitute)

Also Present:

Cllr Trevor Carbin, Cllr Linda Conley, Cllr Richard Gamble, Cllr Keith Humphries, Cllr Jeff Osborn, Cllr Fleur de Rhé-Philippe, Cllr Toby Sturgis and Cllr Dick Tonge

13 Apologies

Apologies were received from Cllrs Peter Doyle, Tom James and Leo Randall.

Cllr James was substituted by Cllr George Jeans.
Cllr Randall was substituted by Cllr Anthony Trotman.

14 Minutes of the Previous Meeting

The minutes of the meeting held on **11 June 2012** were presented. It was,

Resolved:

To APPROVE the minutes as a true and correct record.

15 Declarations of Interest

There were no declarations.

16 Chairman's Announcements

The Chairman made the following announcements:

- 1) The Chair and Vice Chair have had a series of constructive meetings with Service Directors and Cabinet Members on the topics on the Environment

Select Committee Work Programme and are keen to continue to have periodic informal meetings with them.

As a consequence of this, the Chair and Vice-Chair consider that much of the work on the current topics would be better undertaken by either Task Groups or through Rapid Scrutiny Exercises. Therefore, we envisage that it will only be necessary in future for the Environment Select Committee to meet once a quarter, rather than the six times a year which are allowed under the Terms of Reference.

While this new structure of a greater number of Task Groups and Rapid Scrutiny Exercises is implemented, it is expected that the next two meetings will proceed as scheduled, with quarterly meetings sufficient from then on.

- 2) Forward Work Programme: Members were reminded that any suggested alterations to the Forward Work Programme from the Committee, would have to be endorsed by the Overview and Scrutiny Management Committee, in line with the new Scrutiny arrangements agreed by Council in May 2012.
- 3) Item 10 as listed in the Agenda Pack - *Call-in of Delegated Decision: Proposed Application to Stop Up North Bradley Footpath One* - is to be brought forward as the first substantive item of business.

17 **Call-in of Delegated Decision: Proposed Application to Stop Up North Bradley Footpath One**

A report had been circulated on the call-in procedure along with the delegated decision. The Chairman introduced the item and explained that as he had called in the item, he now sought the Committee's approval to withdraw the item from the agenda, having been satisfied that a meeting between the Cabinet Member and Local Member had taken place prior to the implementation of the published delegated decision.

The Cabinet Member for Highways and Transport, Cllr Richard Tonge, then spoke regarding the item, indicating that the reason given by the Chairman for the withdrawal of the item would not be appropriate. Some Members then spoke in support of the Cabinet Member's view and it was on that basis that the Chairman agreed to allow the item to stand.

A motion was then moved immediately in response to views expressed and it was,

Resolved:

- 1) **That the Environment Select Committee was satisfied that no further action was necessary and therefore the Cabinet Member could implement the decision immediately.**

- 2) To note that it was the Cabinet Member's intention to reissue the delegated decision to reflect the full consultation that had taken place.**

18 Public Participation

There were no questions or statements from the Public or Members.

19 Community Infrastructure Levy Update

The Environment Select Committee has expressed sustained interest in the future implementation of the Community Infrastructure Levy (CIL), awaiting the completion of government regulations.

The Service Director (Economy and Regeneration) presented an update on the development of the Community Infrastructure Levy, noting that a report on the next stage of progression, consultation on the Wiltshire Draft Charging Schedule, would be appearing at Cabinet on 10 September 2012, stating that it was envisaged that Scrutiny involvement would be appropriate and appreciated following the first consultation which would end in late November 2012.

The Service Director (Economy and Regeneration) explained that the total amount likely to be generated by the CIL would be less than previously expected, and clarified that the rates that would be set by the Charging Authority (Wiltshire Council) could be decided to be highly varied based on geography, use and scale of developments. It was stressed that an appropriate balance would need to be struck between the infrastructure funding gap, the gap between the predicted required infrastructure costs and funding, and the impact on a developments economic viability across Wiltshire as a whole, and that the CIL would be unlikely to pay for the entire infrastructure gap.

The Committee was further informed that the Council had a choice between a simple method of rate setting or more complex, locally dependent set of rates, and that the method chosen would be independently examined, checking the evidence behind the decision, the risk to development and compliance with statutory regulations.

After the presentation, the Committee debated the issues raised. The level of flexibility in altering the chosen CIL rate was queried, and it was confirmed that as economic circumstances changed, rates could be altered through proper procedures at a reasonable point in time. It was also confirmed that due to differing viability for development across the county, it was expected and acceptable that in some areas affordable housing targets would not be met as a result of CIL rates, and that this was true of some areas even without any CIL rate.

In response to queries, it was stated that the CIL would need to be in place prior to development, but incremental charging could be in place in the event of

alterations to the planned development altering the appropriate levy. Concerns were also raised regarding potential increased administration and the implications on specific areas if a flat rate were implemented.

At the conclusion of debate, it was,

Resolved:

That a Task Group be set up with immediate effect to report to the Committee in February 2013 on recommendations on the future implementation of the Community Infrastructure Levy.

20 **Waste Management: Service Delivery Review**

The Overview and Scrutiny Management Committee agreed on 17 July 2012 for the Environment Select Committee to consider future options for the delivery of waste services.

The Service Director (Waste Management Services) introduced a report on the review of service and strategy and ensuing proposals for countywide waste disposal options ahead of Cabinet on 23 October 2012, and welcomed future involvement with Scrutiny.

The Committee discussed the report, raising issues including the importance of environmental considerations, options for green waste collection, and the request from officers for a Member of the Committee to act as a liaison between Overview and Scrutiny and the Waste Service.

In response to queries, it was stated that the service review had been implemented as a result of the harmonization of the service now being complete and several contracts coming to a close in 2014 and 2016 respectively, and that examination at the current stage would enable input into the preparation for the future tendering processes.

After discussion, it was,

Resolved:

- 1) **That a Task Group be appointed to examine the options presented in paragraphs 13-28 of the agenda report, to present their conclusions in February 2013.**
- 2) **That Cllr Alan Hill be appointed as Liaison between the Environment Select Committee and the Waste Service.**

21 **Air Quality Update**

The Committee and its predecessor has held a longstanding interest in the development of the Council's Air Quality Strategy, considering draft versions in

July 2010 and 2011. On 1 November 2011 the previous Environment Select Committee offered general endorsement of and comments regarding the Strategy, and requested an update on the delivery of the Strategy in May 2012. The Strategy was adopted by Cabinet on 13 December 2011.

The Cabinet Member for Public Health and Protection Services, Cllr Keith Humphries, was in attendance with the Public Protection Manager (Food and Environment) and Environmental Health Officer (EC & P), and presented an update on developments regarding the Air Quality Strategy. A brief report was presented to the Chair and is attached to these minutes for the attention of Members.

The Cabinet Member stressed that Air Quality was a highly complex subject and a significant part of Public Health, and welcomed increased engagement with Scrutiny in the future.

The Committee discussed the update report, and requested information on the development of draft Air Quality Plans for specific geographic areas, and debated the importance of Health involvement in any scrutiny of the Air Quality Strategy.

After discussion, it was,

Resolved:

To return the item to the Overview and Scrutiny Management Committee with the recommendation that the matter be investigated at the appropriate time by a joint Task Group of environment and health.

22 **Forward Work Programme**

The Chairman introduced the item as detailed in the agenda, stating that the proposed changes would give greater opportunities for deeper and more detailed Overview as well as Scrutiny for the Committee in future.

The Committee had the opportunity to discuss the proposals and any other suggestions for changes to the Forward Work Programme, recognizing that alterations or additions would require the endorsement of the Overview and Scrutiny Management Committee. The need for expert advice and assistance for the Energy Efficient Homes Task Group, if approved, was raised.

The Committee also expressed support for the proposal to meet quarterly from February 2013 in line with the Committee's intention to undertake more Rapid Scrutiny Exercises and Task Groups, though with further meetings being scheduled if necessary and appropriate.

After discussion, it was,

Resolved:

1) **Energy Efficient Homes**

That a Rapid Scrutiny Exercise be appointed to review the draft guidelines and the evidence on which they are based in a session to involve an expert from the Zero Carbon Hub.

2) **Street Light Savings**

That a rapid scrutiny exercise be conducted on receipt of a report from Highways and Transport and that the findings be presented to the Committee on 1 November as a supplementary item.

3) **Bus Service Review (Marlborough - Bedwyn - Hungerford)**

That this item be referred back to the Overview and Scrutiny Management Committee to reconsider its inclusion on the work programme of the Environment Select Committee due to it being a specific service not related to the strategic overview role of the Committee.

4) **Development Services Transformation Programme (task group)**

That the Task Group present a final report to the committee on 01 November, to include future recommendations for where scrutiny can ensure that the expected savings and efficiencies have been delivered.

23 **Date of Next Meeting**

The date of the next meeting was confirmed as **01 November 2012** at **Monkton Park, Chippenham**.

24 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.35 am - 12.35 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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Strategic Action Plan from AQ Strategy

No.	Action	Departments required to take forward action	Linked Strategies	Shared strategic objectives	Air Quality Strategic Objective	Timescale	Progress (April 2012)
1	Set up links with other LAs within the South West	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Wiltshire Air Quality Strategy 		SO5 SO6	Currently underway	Met with Bristol Gloucester, Somerset & Wiltshire (BGSW) Environmental Protection Working Group 13 th March 2012. Further collaborative work proposed.
2	Investigate introduction of Eco Stars scheme for commercial freight vehicles	<ul style="list-style-type: none"> Highways Climate Change Public Protection Services 	<ul style="list-style-type: none"> LTP3 Freight Strategy LTP3 Public transport Strategy LTP3 Air Quality Action Plan Energy Change & Opportunity Strategy 	<p>Efficient freight movements</p> <p>Increased usage of low emission vehicles</p> <p>Reduce level of air pollutants and climate change emissions</p>	SO1 SO2 SO4 SO10	End 2012	<p>To investigate for discussion at forthcoming meeting of Wiltshire & Swindon Freight Quality Partnership.</p> <p>This item will be picked up by the review of the Air Quality Action Plan that is currently underway.</p>
3	Develop and introduce Supplementary Planning Document and Developer Toolkits	<ul style="list-style-type: none"> Public Protection Services Spatial Planning Development Control: Planning 	<ul style="list-style-type: none"> Air Quality Action Plan Draft National Planning Policy Framework Wiltshire Core Strategy 	<p>Support planned growth in Wiltshire</p> <p>Reduce impact on quality of life and built and natural environment</p>	SO1 SO4 SO5 SO10	Informal guidance March 2012 Aim to adopt as formal	Document is under development. Latest meeting with Spatial Planning (SP) 9 th August 2012. SP supportive of document, comments

						SPD by end 2012	taken on board. Time line for submission clarified. Feedback gained on CIL document to support SPD & Air Quality Action Planning projects from SP. Aim to have draft documents for comment by beginning of September. We are liaising with Climate Change on the drafting of the SPD.
No	Action	Departments required to take forward action	Linked Strategies	Shared strategic Aims	Air quality Strategic Objective	Timescale	Progress (April 2012)
4	Develop an air quality policy for inclusion in the Wiltshire Core Strategy	<ul style="list-style-type: none"> Public Protection Services Spatial Planning 	<ul style="list-style-type: none"> Air Quality Action Plan Wiltshire Core Strategy 	Reduce impact on quality of life and built and natural environment	SO5 SO7	End 2012	<p>Completed: Core Policy 55: Air Quality now in draft core strategy subject to consultation. Amendment requested with respect to community infrastructure Levy.</p> <p>Working with spatial planning to incorporate AQ into CIL.</p>

5	Work with relevant authorities and communities to develop and deliver agreed Air Quality Action Plans	<ul style="list-style-type: none"> • Public Transport • Highways • Public Protection Services • Spatial planning • Highways Agency 	<ul style="list-style-type: none"> • LTP3 • Air Quality Action Plan • Wiltshire Local Plan • Infrastructure Delivery Plan 	Efficient freight movements Sustainable transport alternatives	SO1 SO4 SO5	Ongoing	<p>We have had a series of meetings & made presentations to Area Boards with air quality management areas or possible need for AQMAs.</p> <p>We have met or are due to meet:</p> <p>BOA; community Forum; 23rd BOA Area board/ community meetings: February, 27th 21st May June,, 23rd July, 23rd August 2012</p> <p>Devizes Area Board: 23rd July 2012</p> <p>Salisbury Area Board: 15th March 2012</p> <p>Calne Area Board 10th April, 12th June, 21st June.</p> <p>Other meetings:</p> <p>We have attended</p>
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							DCAP meetings on 9 th January, 12 th March, 14 th May, 16 th July. First AQAP workshop Bradford on Avon: April 2012.
6	Prioritisation of existing and new air quality sites.	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Air Quality Action Plan Wiltshire Core Strategy Minerals & Waste Core Strategy 		SO2 SO3	Mid 2012	Greatest Exceedance of NO ₂ within the county is in Bradford on Avon. Revised AQAP will reflect priorities. An extended AQMA for Devizes is currently under consultation and consultation for an AQMA in Calne is about to commence.
7	Improve information on the website – possible formation of independent website page	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Air Quality Action Plan Wiltshire Council Business Plan 		SO8 SO9	Mid 2012	Website has been improved (9 th Feb 2012). Further work is proposed to display actual data – past and present.
No.	Action	Departments required to take forward action	Linked Strategies	Shared strategic Aims	Air quality Strategic Objective	Timescale	Progress (April 2012)
8	Investigate use of the Wiltshire Intelligence	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Air Quality Action Plan 		SO8	Mid 2012	Following discussions with the research

	Network and South West Observatory websites for displaying AQ information	<ul style="list-style-type: none"> Wiltshire PCT 	<ul style="list-style-type: none"> Wiltshire Council Business Plan 				team and PPS can be granted access to the Wiltshire Intelligence network site to update data. We will therefore be progressing with this.
9	Produce summary reports on air quality to include in the Joint Strategic Assessment annually for Area Boards	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Wiltshire Air Quality Strategy 		SO7 SO8	March 2012	Information has been contributed.
10 Page 11	Produce a consolidated and updated Wiltshire Air Quality Action Plan	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Wiltshire Air Quality Strategy 	Reduce levels of air pollutants and climate change emissions	SO1 SO4 SO8	Mid 2012	<p>AQAP work with Area boards progressing. A number of meetings which have included local interest groups, councilors and area board representatives have been held.</p> <p>In addition to this we have published the following end of year reports for DEFRA;</p> <ul style="list-style-type: none"> -Updating & Screening Assessment 2012 -Detailed Assessment Devizes Centre.

							<p>-Detailed assessment Calne -Further Assessment Marlborough all have been submitted to DEFRA.</p> <p>Declaration of AQMAs of an extended AQMA in Devizes is currently under consultation and Consultation is about to commence for an AQMA in Calne.</p>
1	Investigate the introduction of a Text Alert System warning of poor air quality to people with respiratory illness	<ul style="list-style-type: none"> Wiltshire PCT Public Protection Services 	<ul style="list-style-type: none"> Wiltshire Air Quality Strategy Health Strategies Public Health White Paper 		SO8	Mid 2012	This is likely to be incorporated into the Air Quality Action Plan as we have been extremely busy completing DEFRA reports, draft SPD and CIL documents and meeting local communities.
No.	Action	Departments required to take forward action	Linked Strategies	Shared strategic Aims	Air quality Strategic Objective	Timescale	Progress (April 2012)
12	Work with Spatial Planning and	<ul style="list-style-type: none"> Wiltshire PCT Public Protection 	<ul style="list-style-type: none"> Wiltshire Core Strategy 	Reduce levels of air pollutants and	SO5	Mid 2012	This could be incorporated into the

	Development Services on locations of new residential accommodation for the elderly	<ul style="list-style-type: none"> Services Development Control: Planning 		climate change emissions			Air Quality Action Plan for the reasons detailed above
13	Investigate the feasibility of innovative solutions for school travel plans focusing on AMQA areas first	<ul style="list-style-type: none"> Public Transport Highways Education 	<ul style="list-style-type: none"> LTP3 Public transport Strategy 	Reduce travel by private car Develop school transport plans Sustainable transport alternatives	SO1 SO4 SO5 SO10	End 2013	To be considered as part of the development of the Wiltshire Sustainable Modes of Travel to School Strategy
14	Produce summary AQ documents for the public in plain English	<ul style="list-style-type: none"> Public Protection Services 	<ul style="list-style-type: none"> Wiltshire Air Quality Strategy Wiltshire Business Plan 		SO8	Mid 2012	Reschedule to end of March 2013.
15	Minimise traffic delays and disruption where they cause air quality exceedances in AQMAs	<ul style="list-style-type: none"> Highways 	<ul style="list-style-type: none"> LTP3 Network Management Plan 	Reduce levels of air pollutants and climate change emissions	SO1	As AQAP timescales	Input provided to the Devizes Transport Strategy.
No.	Action	Departments required to take forward action	Linked Strategies	Shared strategic Aims	Air quality Strategic Objective	Timescale	Progress (April 2012)
16	Manage identified freight issues through	<ul style="list-style-type: none"> Highways Public Protection 	<ul style="list-style-type: none"> LTP3 		SO1 SO4	End 2013	Local freight issues managed through the

	appropriate interventions and improve the enforcement of weight and other restrictions through initiatives such as Lorry Watch.	Services – Trading Standards			SO5		Council's Freight Assessment & Priority Mechanism. Trading Standards are rolling Lorry Watch out to those communities who request initiative (e.g. Bradford on Avon)
17	Consider the development and adoption of a low emission strategy	<ul style="list-style-type: none"> • Spatial Planning • Development Control: Planning • ECO team • Public Protection Services 	<ul style="list-style-type: none"> • Wiltshire Core Strategy • Wiltshire Air Quality Strategy 		SO1 SO4 SO5 SO10	End 2013	This will be explored as part of the Air Quality Action Plan for Wiltshire.