

**MINUTES OF THE MEETING OF THE ENVIRONMENT POLICY DEVELOPMENT
GROUP HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY,
25 FEBRUARY 2010**

MEMBERS

* Cllr R Rowe - Chairman

* Cllr R J Carter - Vice-Chairman

* Cllr P Coulson

∅ Cllr S L Rankin

* Cllr C W Jones

* Cllr R J Vint

* Cllr D W May

* Cllr A Ward

* Denotes attendance

∅ Denotes apology for absence

Also in attendance and participating:
Cllrs B E Carson and J T Pennington

Officers in attendance:

All agenda items: Strategic Director (Community) and Member Support Officer;
Item 5: (Minute EPDG.21/09 below refers) Policy Implementation Officer;
Item 6: (Minute EPDG.22/09 below refers) Landscape and Recreation Manager;
and
Item 7 & 8: (Minutes EPDG.23/09 & EPDG.24/09 below refers) Head of
Environmental Services

EPDG.19/09 MINUTES

The minutes of the meeting of the Environment Policy Development Group (EPDG) held on 15 December 2009 were confirmed as a correct record and signed by the Chairman.

EPDG.20/09 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting.

Cllr C W Jones declared a personal interest in Item 6: Plymouth Green Infrastructure Plan (Minute EPDG.22/09 below refers) by virtue of him being employed by Natural England who had contributed to the Plymouth Green Infrastructure Plan, but he stated that he had no input into the Plan and remained in the meeting and took part in the discussion and vote thereon.

EPDG.21/09 EFFICIENCY THROUGH SUSTAINABILITY – NEW SUSTAINABILITY POLICY FRAMEWORK AND CLIMATE CHANGE ACTION PLAN 2010 - 2012

The Policy Implementation Officer presented a report that sought approval of an updated Climate Change Action Plan 2010 -2012 with targets to work towards achieving a more efficient council whilst gaining a lower carbon footprint. The report also ultimately sought approval of a new Sustainability Policy Framework that set out how the Council was working across the three pillars of sustainability to become a more sustainable organisation as well as striving to achieve a sustainable South Hams Community.

The Group then debated each action of the draft Climate Change Action Plan document and the following particular items were discussed in more detail:

- It was confirmed that the one-off sum of £15,000 set aside in the Budget to undertake work to establish the Council's carbon footprint had not yet been spent, but that if a project was identified, it would be presented to Members. Value for Money would have to be a key consideration for any identified project;
- The Group noted that achievement of the targets set out in the plan were expected to take place within existing budgets but it was acknowledged that there was a possibility that future specific actions may require extra resources. If that situation did transpire, it would be presented to Members for consideration;
- With regards to the Pitt Review, it was difficult to plan for legislation that had yet to be adopted, but it was anticipated that resources would be directed towards upper tier authorities;
- It was clarified that the action to reduce the Council's overall carbon emissions by 20% is based on the position at the start of the carbon management plan;
- Some Members felt that working with voluntary groups and accessing funding for climate mitigation and adaptation projects could be considered to fulfil part of the commitment to the Nottingham Declaration, if it was signed by the Council in due course;
- The view was expressed that future consideration should be given to incorporating more measurable SMART targets into the plan rather than stating aspirations alone and that baseline data be included to enable percentage improvements to be assessed;
- A non Group Member took issue with the inclusion of climate change on the programme of waste management education in local schools and asked for consideration to be given for it to be removed so that the focus of the programme was waste minimisation;
- It was requested that Air Quality action plans be made available on the Council website (Southhams.gov.uk);

- That consideration be given to a target in the plan for the percentage of on site renewable energy (e.g. wind/solar) to be delivered on sites over a specified number of houses, with the possible threshold to be determined; and
- It was agreed that the action to encourage the Devon Local Government Pension Scheme to invest in environmentally sound funds be amended to read with the additional statement, 'subject to an assessment of risk and levels of return';

It was then:-

RECOMMENDED

That the Executive be **RECOMMENDED** that the Group has provided comments as detailed above and **RECOMMENDS**;

1. the approval and adoption of the new climate change action plan 2010 - 2012, subject to the rewording of the Pension Scheme Action with the additional statement, 'subject to an assessment of risk and levels of return';
2. The Sustainability Policy Framework

EPDG.22/09 PLYMOUTH GREEN INFRASTRUCTURE PLAN

The Landscape and Recreation Manager presented a report that outlined the content and actions incorporated in the Plymouth Green Infrastructure Plan. The report stated that there would be no direct financial implications resulting from the adoption and publication of the plan other than subsequent funding from developer contributions or other funding streams. The plan was an overarching document that incorporated all cross boundary DPD documents and the Strategic Director (Community) stated that the objective of the plan was to co-ordinate actions across boundaries. A key part of the plan's vision was linking green spaces, creating wildlife corridors and providing green transport corridors for cycling and walking. A Group Member asked that all the local policies considered in the plan be scrutinised to minimise the need to travel.

It was then:-

RECOMMENDED

That the Executive be **RECOMMENDED** that the Plymouth Green Infrastructure Plan be adopted subject to delegated authority being given to the Strategic Director (Community) and the Lead Executive Member to accommodate amendments that might be generated by;

1. The introduction of final mapping and information to the plan; and
2. The views of Plymouth City Council and other plan partners as they move towards the adoption of the plan.

EPDG.23/09 INTRODUCTION OF DOG CONTROL ORDERS UNDER THE CLEAN NEIGHBOURHOOD AND ENVIRONMENT ACT 2005

The Head of Environment Services presented a report which set out the existing arrangements for dealing with nuisance dogs and the current anomalies present in those arrangements. The report further set out the possibility of resolving some of the issues by adopting powers under the Clean Neighbourhood and Environment Act 2005.

Following the presentation, the policy was vigorously discussed and some Members expressed that they were deeply unhappy with the report and would not support any recommendation that the policy be adopted until many of the concerns they had were addressed. The Members felt the report was unbalanced between the proposed enhanced regulation relative to other possible actions such as positive dog management and education. Furthermore there was no evidence of having considered the policies of other authorities to highlight best practice.

Some Members accepted that the current arrangements were unsatisfactory, but some stated that the proposed policy did not address those issues and it was not clear at this stage which types of control officers were proposing to implement. Moreover, there was also no evidence of consultation and some Members wished to see more supporting information such as an audit of where dog litter bins were located.

Another Member highlighted the differing needs across the district and gave examples such as dog owners in towns with few public open spaces, and of parents worried about the health implications for their children playing in areas where enforcement of dog fouling might be poor.

It was then **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** by 4 votes in favour and 3 votes against that the policy not be accepted in its current format.

As a consequence of this resolution, a further **MOTION** was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** which sought to establish a task and finish group to undertake a detailed review of the policy. This was declared **CARRIED**.

It was then

RESOLVED

That in light of concerns (as detailed above) and subject to the agreement of the Programming Panel, a task and finish group be established to undertake a detailed review of the policy with the intention of presenting a report back to the Group upon the conclusion of the review.

EPDG.24/09 SEAWEED ON BEACHES

The Head of Environment Services presented a report that outlined the Council's responsibility for managing seaweed on beaches and sought Members approval for the existing policy for the management of seaweed. The officer proceeded to highlight the following points. That:

- The Council did not have a statutory duty to clear seaweed, whereas cleaning all types of litter and refuse was a statutory duty on certain beaches;
- In 2003, as a result of a major review, the Council made the decision that it would only clean beaches under its direct control;
- The Council had decided it would remove seaweed when it had become a statutory nuisance such as if it had turned putrescible. In such circumstances, the material would either be removed from the beach, if contaminated with other waste, or returned to the sea via mechanical means. The latter option would be undertaken after a risk assessment of the material washing back on to the beach or an adjacent beach;
- Removed seaweed, if uncontaminated, could be composted, whereas contaminated seaweed would be suitable for landfilling;
- Devon County Council would pay for the cost of processing the material; and
- That seaweed would not be removed on the basis of aesthetic appearance or smell, even if third parties offered payment for the activity, due to considerations of biodiversity.

During the discussion, the following points were raised:

- a) It was discussed that with regard to beaches not under the Council's control, where seaweed had become a statutory nuisance, the authority could enforce the private owner to clear the material at their own expense, or the authority would clear it and charge for the service;
- b) With respect to the statement that seaweed would not be removed on the basis of aesthetic appearance or smell, some Members expressed that this element of the policy was too restrictive. It was felt that the South West region did rely heavily on tourism and that after occurrences such as a storm surge, a huge amount of material would be deposited on the beaches making them inaccessible to the public. Also the seaweed would smell and attract a large numbers of flies. All the above factors constituted an amenity problem and would be to the detriment of local businesses. Another Member highlighted that whilst being sensitive to the issue of biodiversity, the seaweed could still be harvested in a sustainable way and was a valuable resource (e.g. for organic fertilizer) and therefore urged that a third party operator/business partner be considered for removing the material when it was detrimental to local amenities but not a statutory nuisance to the authority.

It was then **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that;

'officers investigate solutions to clearing seaweed when it was detrimental to the local amenities, but that any solutions should be self financing'

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** that subject to the inclusion of the amendment, whereby officers investigate a self financing solution to clearing the seaweed when detrimental to the local amenities, the policy be adopted.

(Meeting commenced at 2.00 pm and concluded at 4.55 pm).

Chairman