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SOUTH HAMS OVERVIEW AND SCRUTINY PANEL - THURSDAY, 22ND JANUARY, 2015

Agenda, Reports and Minutes for the meeting

Agenda No Item

- 1. Agenda Letter Economy & Environment Panel (Pages 1 2)
- 2. <u>Reports</u>

Reports to E&E:

- a) <u>Item 9 Green Infrastructure Plan</u> (Pages 3 8)
- b) <u>Item 11 Exempt -Waste Review Policy</u> (Pages 9 10)
- c) <u>Item 12 Renewable Energy Solar Panels on Coastal Assets</u> (Pages 11 12)
- d) <u>Item 14 Exempt Trade Waste Fees and Charges</u> (Pages 13 18)
- 3. Minutes (Pages 19 24)

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Agenda Item 1

Please reply to: Kathryn Trant Service: Corporate Services Direct Telephone: 01803 861185 E-Mail: Kathryn.trant@southhams.gov.uk

- To: Chairman & Members of the Economy & Environment Scrutiny Panel (Cllrs Barber, Blackler, Cane, B Cooper, Coulson, Pannell, Pennington, Rowe, Smerdon, Stone, Vint, and Wingate)
- cc: Cllrs Bastone (Item 9) and Gilbert (Items 11 and 14). Remainder of the Council for information Usual press and officer circulation

Our Ref: CS/KT

14 January 2015

Dear Councillor

A meeting of the **Economy and Environment Scrutiny Panel** will be held in the **Cary Room,** Follaton House, Plymouth Road, Totnes, on **Thursday, 22 January 2015** at **10.00 am** when your attendance is requested.

Yours sincerely

Kathryn Trant Member Services Manager

FOR ANY QUERIES ON THIS AGENDA PLEASE CONTACT KATHRYN TRANT, MEMBER SERVICES MANAGER ON DIRECT LINE 01803 861185

AGENDA

1. Apologies for Absence

- 2. **Minutes** to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Economy and Environment Scrutiny Panel held on 13 November 2014 (pages 1 to 7);
- 3. **Urgent Business** brought forward at the discretion of the Chairman;
- 4. **Division of Agenda** to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
- 5. **Declarations of Interest** Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;
- Public Forum a period of up to 15 minutes is available to deal with issues raised by the public (page x);
 Page 1

7. Executive Forward Plan (as published on 2 January 2015) (pages 8 to 11);

Note: If any Member seeks further clarity, or wishes to raise issues regarding any future Executive agenda item, please contact Member Services before **12 noon on Monday 19 January 2015** to ensure that the lead Executive Member(s) and lead officer(s) are aware of this request in advance of the meeting.

- 8. **Presentation from SWW** attendance of representatives from SWW
- 9. **Green Infrastructure Plan** to consider a report that asks Members to consider the Green Infrastructure Plan and recommend adoption (pages 12 to 17);

Task and Finish Updates and Reports:

- 10. **Managing Coastal Assets –** no update at this meeting.
- 11. Waste Review Policy (page 18-19);
- 12. Renewable Energy Solar Panels on Coastal Assets (page 20)
- 13. **Exclusion of Public and Press** to consider the following resolution to exclude the public and press:-

"That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act";

14. **Trade Waste Fees and Charges –** to consider a report that sets out proposals for fees and charges for the trade waste service for 2015/16 (pages 21 to 26).

Members of the public may wish to note that the Council's meeting rooms are accessible by wheelchairs and have a loop induction hearing system

N.B. Legal and financial officers will not, as a general rule, be present throughout all meetings, but will be on standby if required. Members are requested to advise the Member Support Service in advance of the meeting if they require any information of a legal or financial nature.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER THIS AGENDA HAS BEEN PRINTED ON ENVIRONMENTALLY FRIENDLY PAPER

If you or someone you know would like this publication in a different format, such as large print or a language other than English, please call Darryl White on 01803 861247 or by email at: darryl.white@southhams.gov.uk

Agenda Item 2a

SOUTH HAMS DISTRICT COUNCIL

agenda item 9

NAME OF COMMITTEE	Economy and Environment Scrutiny Panel
DATE	22 January 2015
REPORT TITLE	Draft South Hams Green Infrastructure Plan
Report of	Ross Kennerley. Natural Environment and Recreation Manager
WARDS AFFECTED	All

Summary of report:

Green Infrastructure (GI) is the network of green spaces in and around towns and villages. GI is seen as being of increased importance because of the multiple benefits generated from the network of sites. The Council has produced a Draft South Hams Green Infrastructure Plan and Members are asked to consider the Plan and adoption.

Financial implications:

No direct financial implications.

RECOMMENDATIONS:

That Members consider the report and RECOMMEND to Executive that Council be RECOMMENDED that the South Hams Green Infrastructure Plan be adopted. Any amendments prior to adoption to be delegated to the Natural Environment and Recreation Manager in consultation with chair of E & E and Portfolio holder

Officer contact:

Ross Kennerley. Natural Environment and Recreation Manager. 01803 861379 ross.kennerley@southhams.gov.uk

1. BACKGROUND

1.1 Green Infrastructure consists of the network of green spaces in and around cities towns and villages. The network delivers multiple benefits for people and the environment and is of value both because of the individual benefits from each site and the connectivity created across the landscape.

- 1.2 The term *Green Infrastructure* is being widely used by government and is seen as an increasingly important area of work for Councils and communities. Creation, and appropriate management, of *Green Infrastructure* is fundamental to sustainability and increasingly sits alongside the *Grey Infrastructure* of roads, sewers and other hard infrastructure in achieving sustainable development
- 1.3 Delivery and management of Green Infrastructure requires landowner involvement, cross border working and multi agency collaboration. SHDC has been involved in pioneering Green Infrastructure Partnerships around both Plymouth and Torbay. The emerging South Hams Green Infrastructure Plan brought before Members has been generated from the work around Torbay with the South Devon Green Infrastructure Partnership.

2 MATTERS FOR CONSIDERATION

2.1 South Devon Green Infrastructure Partnership

The South Devon Green Infrastructure Partnership formed five years ago and assisted the production of successful Green Infrastructure Delivery Plans for Torbay and for the 'Heart of Teignbridge' (covering Newton Abbot and the surrounding areas).

The partnership is made up of, and funded by, the following organisations:

- Torbay Coast and Countryside Trust;
- Natural England;
- South Hams District Council;
- Torbay Council;
- South Devon Area of Outstanding Natural Beauty Unit; and
- National Trust.

The partnership is now well established and one full time coordinator is employed by Torbay Coast and Countryside Trust on behalf of the partnership. The coordinator works part time within the Natural Environment and Recreation team at South Hams District Council.

The main aim of the partnership is to secure delivery of high quality multifunctional green infrastructure and to strengthen the green infrastructure network across the South Devon project area – with a range of access, land management and planning related work already underway. In 2013 the partnership recognised the benefit of concentrating effort on the more rural area of the South Hams. This was particularly in light of the NPPF and emerging work on the Local Plan for South Hams (now termed "Our Plan").

2.2 Planning Policy Context

Green infrastructure is defined in the National Planning Policy Framework (NPPF) as: *"a network of multi-functional green space, urban and rural, which is*

capable of delivering a wide range of environmental and quality of life benefits for local communities".

In urban areas and at a local level it includes the benefits provided by trees, green roofs, gardens, parks, playing fields, cemeteries and allotments. In a rural context and at a strategic level it can include farmland, woodland and other natural features providing important services such as flood protection, carbon storage and water purification.

Green infrastructure also includes water and wetland features including ponds, streams, rivers and estuaries. Public rights of way and linear features such as rivers can provide important connecting corridors between green infrastructure assets for both people and wildlife.

Paragraph 114 of the NPPF requires Local Authorities to "set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure."

Planning for green infrastructure helps to ensure that there is a coherent network of green space for both people and wildlife, preventing further fragmentation and decline of habitats and species and ensuring a good quality of life for future generations.

2.3 Draft South Hams Green Infrastructure Plan

In light of the NPPF requirements surrounding green infrastructure, a key role of the South Devon Green Infrastructure Coordinator has been developing a Green Infrastructure Plan for the South Hams. The Plan is designed to complement neighbouring Green Infrastructure Plans produced by Plymouth, Torbay and Teignbridge and provides important evidence for the emerging South Hams Our Plan emerging Green Infrastructure policy. The preparation is seen to be of significance to Natural England and NE is providing financial support.

The Green Infrastructure Plan identifies four key themes

- Biodiversity, Landscape and Heritage;
- Health, Access and Recreation;
- Sustainable Drainage, Flood Alleviation and Water Quality; and
- Local Food and Fuel.

Strategic aims and actions have been developed for each theme and specific green infrastructure projects have been identified. The projects have been split by areas, based on the section 106 clusters used by the Council planning team which split the district into four based around the key towns of lvybridge, Kingsbridge, Totnes and Dartmouth.

The projects have been identified based on known needs/opportunities and in consultation with stakeholders and the local community. For each project a project description, key partners, potential delivery mechanisms and link back to the strategic themes is provided. The draft plan has been subject to public consultation during 2014.

The Plan will serve a number of functions and will achieve these with greater strength if the document has been adopted by the Council.

- Evidence base for Our Plan to underpin the proposed Green Infrastructure policy
- Representation of cross border themes and projects with neighbouring authorities supporting the required duty to co-operate
- A basis for local projects and partnerships with landowners and community groups
- An evidence base to support funding bids for grant aid
- An evidence base to support negotiations for s.106 funding or site based projects

It is recognised that as a evidence base to Our Plan that it will need to be subject to further formal consultation (and potential challenge) when *Our Plan* is subject to its formal Regulation 19 consultation. Only after formal adoption of *Our Plan* will the Green Infrastructure Delivery Plan have full planning weight.

It is also recognised that Green Infrastructure has a close link to Open, Space, Sport and Recreation – another area where the NPPF requires the Council to develop both policy and evidence. A separate Open Space Sport and Recreation Plan is in development and care is being taken to ensure that both areas of work, and the enabling policies, are co-ordinated and complementary.

The draft Green Infrastructure Plan will be available to be viewed on the website. Any queries on the plan ahead of Scrutiny Panel can be raised with the Natural Environment and Recreation Manager or with Alexis Huggins, Green Infrastructure Co-ordinator on 01803 861406 or alexis.huggins@southhams.gov.uk.

3. LEGAL IMPLICATIONS

- 3.1 The Council has the following legal powers and responsibilities
 - Paragraph 114 of the NPPF requires Local Authorities to "set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure."
 - S. 106 of the Town and Country Planning Act allows for agreements to secure obligations or payments to deliver infrastructure required to make development acceptable in planning terms.
 - Miscellaneous Provisions Act and Localism Act allows for the Council to undertake projects and partnerships for community wellbeing.

4. FINANCIAL IMPLICATIONS

4.1 Current partnership arrangements are met from within existing budgets.

5. RISK MANAGEMENT

5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Conservation of the Natural and Built Environment Sustainable Communities
Statutory powers:	See above
Considerations of equality and human rights:	No issues are identified although projects need to address accessibility issues to ensure access for all wherever reasonable and practicvable.
Biodiversity considerations:	Creation, management and maintenance of Green Infrastructure has multiple biodiversity benefits
Sustainability considerations:	Creation, management and maintenance of Green Infrastructure has significant sustainability benefits
Crime and disorder implications:	None identified
Background papers:	Draft South Hams Green Infrastructure Plan
Appendices attached:	None

STRATEGIC RISKS TEMPLATE

			Inherent risk status					
No	Risk Title	Risk/Opportunity Description	Impact of negative outcome	Chance of negative outcome	ive direction		Mitigating & Management actions	Ownership
1	Need to address NPPF requirement	Plan and evidence base isn't in place. Possible limitation to NPPF requirement	3	2	6	Û	Adopt and implement Plan	RK
2	Opportunity to support and enable green infrastructure	Lack of evidence base limits community projects and funding from grant sources	3	2	6	Û	Appropriate tree inspection policy in place	RK
	and community projects	Lack of evidence base limits community projects and funding from grant sources	3	2	6		Ensure plan addresses projects and links to development	RK
3	Opportunity to conserve and enhance natural environment	Negative impacts on Biodiversity, land management, water quality, flooding or environmental pollution	3	3	9	\$	Implement robust policies and procedures in accordance with legislation and guidance	RK

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Agenda Item 2b

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Agenda Item 2c

Item 12

Update from Task and Finish Group Renewable Energy – Solar Panels on Council assets

- Meeting held between Officers and Members to consider proposal to site a Solar PV Carport Installation at Dartmouth Park & Ride Site
- Presentation by Beco Energy Solutions
- Site capable of accommodating a 375kW of solar PV array
- A 375kW system would cost approximately £470K
- The system will give approximately 15-20% return on investment
- A 250kW system may give a higher investment return due to the feed in tariff rules
- Electricity generated could be sold to local users ie. Leisure Centre reduced electricity costs for the leisure centre
- Officers and Members concerned about security and maintenance issues for high value equipment that is located in a publicly accessible location
- Beco to provide information on leasing options to a 3rd party investor who would pay a ground rent to the Council
- Members are keen for Officers to consider options on other Council owned land and premises

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Agenda Item 2d

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MINUTES OF THE MEETING OF THE ECONOMY AND ENVIRONMENT SCRUTINY PANEL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 22 JANUARY 2015

	Panel Members in attendance				
	* Denotes attendance	Ø	Denotes apology for absence		
*	Cllr A D Barber (Chairman)	*	Cllr J T Pennington		
Ø	Cllr J I G Blackler	Ø	Cllr R Rowe		
*	Cllr B F Cane	*	Cllr P C Smerdon (Vice Chairman)		
*	Cllr B S Cooper	*	Cllr M Stone		
*	Cllr P Coulson	*	Cllr R J Vint		
*	Cllr C M Pannell	*	Cllr K R H Wingate		

Non Panel Members also in attendance and participatingCllrs H D Bastone, B E Carson, R D Gilbert, M J Hicks, P W Hitchins, T R Holway,
J A Pearce, J W Squire, R J Tucker and L A H WardNon Panel Members also in attendance and not participatingCllrs I Bramble and S A E Wright

ltem No	Minute Ref No below refers	Officers in attendance and participating
All		Group Manager Commercial Services (GM CS) and
Items		Member Services Manager
9	EE.38/14	Parks and Greenspaces Officer, Green Infrastructure Coordinator
12	EE.41/14	Estates Manager
14	EE.43/14	Environment Services Manager and Commercial Waste Manager

EE.32/14 MINUTES

The minutes of the meeting of the Economy and Environment Scrutiny Panel held on 13 November 2014 were approved as a correct record and signed by the Chairman.

EE.33/14 URGENT BUSINESS

The Chairman advised that there was a typographical error on the agenda front pages and that item 12 should read 'Renewable Energy Solar Panels on Council Assets'. He drew Members attention to information that had been circulated relating to a Rural Broadband update. Finally, he asked the Executive Portfolio Holder for Planning, Economy and Community to update Members on the position in relation to an outstanding query on a renewable energy matter. The Portfolio Holder set out the background to the issue, and advised that the Council was waiting for a response from the Department of Communities and Local Government (DCLG) before further action could be taken.

EE.34/14 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting and the following were made:

Cllr Pannell declared a personal interest in item 9: 'Green Infrastructure Plan' (Minute EE.38/14 below refers) by virtue of being a member and volunteer of the National Trust. She remained in the meeting and took part in the debate and vote thereon;

Cllr Cane declared a disclosable pecuniary interest in item 14: 'Trade Waste Fees and Charges' (Minute EE.42/14 below refers) by virtue of being a Trade Waste customer and he left the meeting before the start of this item.

EE.35/14 **PUBLIC FORUM**

No items were raised.

EE.36/14 EXECUTIVE FORWARD PLAN

The Chairman advised that the only forthcoming report of relevance to this Panel was the AONB Update report, which was to be considered by the Executive at its meeting on 29 January 2015.

EE.37/14 **PRESENTATION FROM SOUTH WEST WATER (SWW)**

The Chairman welcomed Mr Nick Murch and Mr Steve Rosser from South West Water, who had agreed to attend to respond to questions that had been raised as follows:

In respect of concerns about eroding river banks at Ermington, the representatives confirmed that river banks were the responsibility of the riparian landowner. A local Ward Member maintained that the bank had moved as a result of work undertaken by SWW putting in a new sewer pipe, but another Member confirmed that rivers do move and the riparian landowner had responsibility. Another local Ward Member reiterated the concerns and suggested that a meeting of those concerned may be helpful. She also thanked SWW for their communication with traders in respect of issues in Modbury, as this approach had been positive. The Chairman agreed that local Ward Members could progress this issue with SWW representatives and local landowners.

In respect of issues at Modbury, the representatives confirmed that works were ongoing and should be complete by end March/early April 2015. In terms of keeping the river clear, this was not a SWW responsibility although they did undertake to keep the river clear at discharge points where it was safe to do so.

In respect of issues at Salcombe, the representative gave a detailed response in respect of how SWW wanted to undertake phasing of the work required, what would be done and the steps taken to progress this matter, despite there being no funding support from Devon County Council. A meeting was due to take place between the Mayor of Salcombe and the SWW delivery team, although the Ward Members had not been made aware of it. The County Council Member for the area suggested that contact should also be made with him, as he could assist in progressing the discussions with County Highways Engineers, who had to give permission for works to be undertaken on the highway. Local Ward Members reiterated their concerns about the importance of the timing of the works on the local economy.

One Member questioned whether towns were approaching capacity and whether this would require a limit on development or new infrastructure. In response, the representative advised that SWW could not refuse planning applications and they did have a strategic planning department that held regular liaison meetings. Most sites currently had adequate headroom.

Members raised additional queries in relation to whether Wembury needed a new sewer system, a situation in Kingsbridge around Mill Street where there had been no recent communication from SWW and future plans that SWW may have in respect of passing responsibility for culvert watercourses to landowners. The representatives agreed that these queries would have a response as soon as they were able after the meeting. In addition, any future queries could be forwarded in writing via the Member Services Manager.

The Chairman concluded this item by thanking the representatives from SWW for their attendance.

EE.38/14 GREEN INFRASTRUCTURE PLAN

Members were asked to consider a report which advised that the Council had produced a Draft South Hams Green Infrastructure Plan and sought their recommendation for adoption of the Plan.

The Executive Portfolio Holder for Assets introduced the Plan and the officers who would give a presentation on the plan today.

The Parks and Greenspaces Officer set out the requirement, as detailed in the National Planning Policy Framework, for a strategic approach by local authorities to creation and enhancement of green infrastructure. He also advised that as this document would sit within 'Our Plan', it would be re-titled Green Infrastructure Framework and the recommendation would be amended accordingly. He went on to explain how the document had been developed through the South Devon Green Infrastructure Partnership. The Green Infrastructure Coordinator then gave Members a powerpoint presentation which supported the report and framework. Following the powerpoint presentation, the points raised included the following:

- In response to a query about who would be responsible for maintenance of green infrastructure at Sherford, a Member was advised that this detail formed part of the s106 agreement. He stated that continuing commitment was important. Other Members felt that maintenance of green space was an important issue with any development;
- Another Member raised concerns about how maintenance of public spaces was financed. The Green Infrastructure Coordinator agreed that it was challenging to obtain grant funding to maintain spaces. The Member added that he had concerns that the Framework should include a clear indication of how spaces would be maintained rather than be an aspirational document that set out projects and actions that could not be achieved;
- The Green Infrastructure Coordinator confirmed that promotion of allotments and community orchard space would be part of the Framework. One Member asked that allotments were not placed next to main roads;
- A local Ward Member asked that the Woodland around Dartmouth Castle be maintained. In response, the Parks and Greenspaces Officer confirmed that a five year management plan had been drawn up and a restoration programme had been embarked on;
- Some Members were surprised that the Dartmoor National Park Authority was not a member of the Partnership. It was confirmed that communication with them did take place and there was scope for working together. There were also concerns that the Framework was split into four areas around the market towns as there were green spaces around the Plymouth Fringe that were of importance and a Member suggested that a future Council may like to consider reinstating the Plymouth Urban Fringe Group;
- Another Member stated that some of the areas of open space were for people of all abilities and it was important to enable access e.g. enough car parking spaces to enable people to get to green space areas and enjoy them. Members also asked that cycle paths be for cyclists and footpaths for pedestrians as joining the two together did not always work well;
- In response to a query on the invasion of non-native species, the Parks and Greenspaces Officer advised that there was a duty of care on the Council estate but district wide was the subject of a broader initiative by the Environment Agency;

 One Member asked that there be a prioritisation of projects and this was agreed as a number of aspirational projects were included. A number of Members also agreed that an annual delivery plan would be beneficial as the Framework would have to be sufficiently flexible to include opportunities as they arose.

Finally, a number of Members praised the Framework and the report. The point was reiterated that Members did not want it to be a Framework with no action and principles of sustainable management would be embedded going forward.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that the South Hams Green Infrastructure Framework be adopted and an annual delivery plan be published, with any amendments prior to adoption being delegated to the Natural Environment and Recreation Manager in consultation with the Chairman of Economy and Environment Scrutiny Panel and the Executive Portfolio Holder for Assets.

EE.39/14 TASK AND FINISH GROUP UPDATE - RENEWABLE ENERGY SOLAR PANELS ON COUNCIL ASSETS

The Vice Chairman updated the Panel on the recent meeting of the Task and Finish Group and advised that the Group had received a presentation from a representative of a company that had experience of siting solar panels on car parks.

During the presentation, it became evident that large scale multi storey car parks, such as those at airports, were more suitable than smaller operational car parks such as those within the district, where maintenance and vandalism could be an issue. However, the representative had agreed to provide further information and costings.

The Estates Manager responded to a number of questions and Members asked that solar panels on assets be considered. Whilst there may currently be an issue with the condition of a leisure centre roof, for example, allowing solar panels may generate income to enable cross subsidising the cost of a replacement roof. Members asked that this be taken into account in any future contract negotiations.

The GM CS added that the meeting had enabled a better understanding of current technology and where the Council may be able to use that in the future.

It was then:

RESOLVED

That the update be noted.

EE.40/14 EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

EE.41/14 TASK AND FINISH GROUP UPDATES – WASTE POLICY

The GM CS updated Members on the position with vehicle procurement. In response to a query raised, she also confirmed that the vehicle maintenance contract was currently out to tender.

EE.42/14 TRADE WASTE FEES AND CHARGES

The Executive Portfolio Holder for Environment Services introduced the item. Following a brief discussion, it was:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:

- the continuation of present fees and charges (2014/15) as set out in Appendix A of the presented agenda report be approved (with the exception of Landfill sacks zone 2);
- 2. the green landfill collection sacks be provided at the capacity suggested in para 1.6 of the presented agenda report; and
- 3. The GM CS be authorised to allow a discounted rate, of up to 20%, on multiple container contracts for an introductory period when competing to attract new business.

(Meeting started at 10.00 am and concluded at 12.05 pm)

Chairman