

Environment and Sustainability Panel

Wednesday, 02 November 2022

Attendees: Councillor Tracy Arnold, Councillor Molly Bloomfield, Councillor Andrew Ellis, Councillor Richard Kirkby-Taylor, Councillor Sue Lissimore, Councillor Kayleigh Rippingale, Councillor Lee Scordis, Councillor Michael Spindler, Councillor William Sunnucks

Also Attending:

Apologies: Councillor Michelle Burrows

Substitutes: Councillor Paul Smith (for Councillor Michelle Burrows)

76 Minutes of Previous Meeting

In response to an enquiry from a Panel member, the Panel considered the form of minutes which were presented to it, and whether or not Councillors should be referred to by name in them. Although minutes were not intended to be a verbatim record of meetings, Officers would consider the points which had been raised.

RESOLVED that: the minutes of the meetings on 22 June 2022 and 19 July 2022 be agreed as a correct record.

77 Have Your Say! (Hybrid meetings)

Jane Black attended the meeting and addressed the Panel in accordance with the Have Your Say! provisions. The Panel heard that Colchester Borough Council (the Council) had been gifted Ferry Marsh in 1999 as part of a section 106 agreement, and had covenanted to maintain the property as public open space and to keep it clean and tidy and maintained to an appropriate standard. The marsh had been closed due to flooding over the past couple of years, and because it was thought protected species of birds may be nesting there. The floods had, however, subsided, and the nesting season was over, and Jane made a plea that the paths now be mown and the area re-opened to the public, until the result of a promised public consultation on the future of the marsh were known, although no date had been set for this consultation as yet. The Ferry Marsh Nature Reserve formed part of a Site of Special Scientific Interest, and Jane suggested that an opinion was sought prior to the public consultation from an independent expert, who would advise on appropriate water levels and the impact of public access on bird life in the area. Was the Council in breach of its covenant by currently keeping the reserve locked?

Robert Neve attended the meeting and addressed the Panel in accordance with the Have Your Say! provisions. He was a resident local to Ferry Marsh, and wished to see the path through the marsh open again. He considered that both locals and visitors to the area enjoyed the marsh without apparently disturbing the wildlife there. The Panel was urged to apply the necessary pressure to open the path again, at least until the results of a public consultation were known, and to try to find the correct measures to ensure that the marsh was not flooded again. Joan Sawyer attended the meeting and addressed the Panel in accordance with the Have Your Say! provisions. The Panel heard that a number of years ago, Natural England had dug two ditches in the marsh

for the benefit of the water vole population. She was concerned that the voles would not have survived the recent flooding, and felt upset to see that the marsh had become a jungle of reeds with no easy access to the site.

Rory Doyle, assistant Director – Environment, advised the Panel that the Council was aware of the flooding which had been experienced at Ferry Marsh, and this was a complex issue due in part to the land ownership and ownership of the associated sluice. Officers were working closely with ward Councillors and other stakeholders with regard to future maintenance of the sluice, and there would be a consultation event with local residents in late November 2022, in conjunction with Natural England. Jane Black advised the Panel that local residents had raised the issue at various Wivenhoe Town Council meetings, however she did not believe that it had been discussed at Town Council meetings.

Steve Kelly attended the meeting and addressed the Panel in accordance with the Have Your Say! provisions. The Panel heard that it was World Vitamin D Day, and that 80% of people were Vitamin D deficient which increased during darker months. It was suggested that health sustainability was essential, and that Vitamin D was responsible for a wide range of health benefits. It was suggested that inadequate supplies of Vitamin D were responsible for the deaths of thousands of people. Following enquiries from the Panel, Mr Kelly confirmed that he wished members of the Panel to raise awareness of Vitamin D deficiency, and consider lobbying central government and local health authorities to fortify staple foods with Vitamin D. The Panel advised Mr Kelly that he would be well advised to contact Essex County Council, who had a broader remit for public health than Colchester Borough Council.

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Climate Emergency Action Plan - new iteration

Ben Plummer, Climate Emergency Project Officer, attended the meeting to present the report and assist the Panel with its enquiries. Colchester Borough Council (the Council)'s first Climate Emergency Action Plan (CEAP) had been published in June 2021, and the Plan had been reviewed both to include new actions and update existing ones. The new Plan contained more information for residents on how they could contribute to reducing their environmental impact and tackling climate change, and this was supported by illustrative case studies.

A new theme on climate adaptation had been introduced to the Plan, which reflected that many impacts of climate change were already visible and could not be changed, and the only action that was available was to adapt to the changes in environments. Work was being carried out with the University of Essex (the University) on a project called 'Building With Nature' which looked at natural sea defences to protect from rising sea levels and coastal erosion.

Dr Michel Steinke, a marine scientist working at the University, attended the meeting and gave a presentation to the Panel on a project which had been developed in conjunction with Council Officers Rosa Tanfield and Ben Plummer. The project was entitled Building with Nature for Ecosystem-Based Coastal Defence & Economic Resiliency in Colchester, and the Panel heard about the economic and social importance of the oyster industry to Colchester. In the past, Colchester's coastline had been completely buffered by native oysters, which sadly had now largely disappeared due to overfishing and disease. Sea rise, coupled with the fact that East Anglia was

sinking into the sea, meant that the coastline needed to be protected. Hard engineered coastal defences were expensive and unsustainable, and would eventually fail, and it was hoped that over the coming years, coastline seabed which was currently muddy and devoid of life would be turned into a dynamic and adaptable oyster reef which would assist with defending the coastline by reducing the energy contained in waves which were pounding the shore. Such a living dynamic reef would constitute a soft-engineered coastal defence which would grow with sea level rises and be economically beneficial and sustainable. It was considered that the returns on an investment in such a reef would be maximal, and could support fish habitats and biodiversity, bolster bird habitats and provide economic support for local communities.

The Panel heard that it was considered that Colchester was uniquely placed to tackle such a project, and there was a rich tradition of coastal ecosystem management in the area which was supported by a large number of community based organisations. Consideration had been given to recycling oyster shells to create an artificial reef, and the successful use of this method to create natural oyster reefs had been seen in similar projects in America. The project would be presented at the United Nations Climate Change Conference 2022 (COP 27), and engagement had been undertaken with a wide variety of local stakeholders and other groups working on similar projects in the United Kingdom. The next steps for the project centred around continuing community engagement and analysis of community feedback, and the production of a project website and fact-based summary report.

The Panel heard that it was intended to further support the project through raising awareness within the Council and continuing to foster good relationships with the authority. The Project was searching for funding to allow it to continue, and the Council's support was considered to be very useful in bidding for this funding. The project had meaning and benefit for local communities, and it was hoped that the support of Councillors could be counted on to promote and support the project when required.

In response to enquiries from the Panel Dr Steinke confirmed that the expectation was that initial seeding of the oyster reefs would take place in areas where it was very important to protect the coastline. It may be more economically viable to use limestone or other shellfish in place of recycled oyster shells for this purpose, as there could be logistical difficulties in sourcing oyster shells for seeding. Once seeded, the reef would grow on its own, and would need to be kept separate from any commercial fishery area. The Panel heard that if seeding material was placed in the water in the summer of 2023, by September 2023 the first oysters would be settling on it, producing a benefit relatively quickly.

In response to a question from a Panel Member in relation to the impact of the project on the existing ecosystem, Dr Steinke confirmed that the Pacific Rock oysters which were being commercially grown in the estuary were an invasive, introduced species. Although it had been argued that oyster reefs could have an impact on bird populations, it was considered that there was insufficient data to prove this. Studies had been started to measure the output of climate warming gasses from oyster reefs, including methane and carbon dioxide.

A Panel member considered that there would be significant barriers to the project in

the form of the studies which would be required, and the number of agencies who would have to approve the work. This meant that there was a need to become more entrepreneurial and flexible in dealing with climate change. Dr Steinke explained that he considered that the political support of the Council would be very important to the project in helping to overcome some of these barriers, and the biggest challenge which was being faced was that of sourcing additional funding. It was not considered that the timescale of implementing the project was important, as long as there was continued progress towards its conclusion.

John Akker, West Mersea Town Councillor, attended the meeting remotely and, with the permission of the Chair, addressed the Panel. Mr Akker offered his support for the project, and confirmed that the Town Council was very interested in the proposal. The project was in its infancy, but the Council's Officers, together with the University, had produced detailed plans, and it was considered that there were similarities between Mersea and successful oyster seeding which had taken place in New York and South East Asia. West Mersea Town Council would offer its support in any way it could for the project, and it was hoped that the project would obtain more funding in the near future.

The Panel discussed the level of funding which would be required to support the project, and Dr Steinke confirmed that the funding required would depend heavily on the type of project which was carried forward. Less funding would be required for a community lead project, and more would be required for a project which was more technically focused and which required surveys to be carried out, together with work at sea. A two to three year project was estimated to cost between £750,000 to £800,000, and would deliver implementation at a small but meaningful scale. Although similar projects had been implemented elsewhere, local conditions differed, and although there would be areas of commonality, each area would require different research to maximise the chances of success.

The Panel offered unanimous support for the project, and was happy for the Council to continue working with the University and supporting the project wherever possible.

The Panel turned its attention to the proposed CEAP, and wondered what impact budgetary pressures and the potential lack of grant funding would have on the progress of the Plan in the coming years. Assurance was offered to the Panel that although more limited grant funding was available, a set of costed actions was being prepared, and where the Council had to borrow money to complete projects, it was hoped that the savings benefits realised from decarbonisation projects would serve to pay back any loan quickly.

A Panel member considered that when recommending actions which residents could take to combat climate change, the economic benefits or savings which could be made as a result of the action be emphasised. This was of particular importance given the current cost of living crisis faced by many. The Panel was assured that the direct benefits to residents of any retro-fitting works was being woven through any communications issued, and Officers were currently investigating obtaining access to a new Energy Company Obligation Scheme which was being run by Ofgem, and which would allow funding to be made available for residents on low incomes to support energy efficiency changes to be made in their homes. Noting the concerns

raised with regard to funding, a Panel member wondered whether there was any potential to use the government's Green Investment Bonds as a source of funding, and Officers would look into this.

Concern was raised that the phasing out of certain weedkillers may have led to the prevalence of more deep-rooted weeds this year, and Councillors had been required to purchase their own strimming equipment to deal with these as hand pulling the weeds had proved impossible. Would the Council ensure that when its weed control programme was altered, suitable replacements were put in place, to prevent this happening again in the future?

It was suggested that the concept of biodiversity net gain could potentially be added to the CEAP, to ensure that where developers were unable to meet the requirement for biodiversity net gain on their own developments, the Council was in a position to offer its own projects which could utilise section 106 funding provided in this way, keeping the biodiversity net gain as local as possible. The Council needed to be proactive in developing policies to provide guidance to developers once the net gain requirement became mandatory next year, although the Panel accepted that these policies would likely fall under the remit of the Planning and Local Plan Committees of the Council.

A Panel member recommended that when communicating with residents, the Council did not shy away from including scientific detail in communications, as this detail was of interest to residents.

RESOLVED that: the new iteration of the Climate Emergency Action Plan had been reviewed, and feedback had been provided.

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Recycling and Waste Strategy development proposal

Rosa Tanfield, Group Manager – Neighbourhood Services, attended the meeting to present the report and assist the Panel with its enquiries. The Panel heard that the current Waste Vision and Strategy had been launched in 2015 and 2016, and the lifestyles of Colchester residents had changed significantly since then. Colchester Borough Council (the Council) was performing well in terms of its waste and recycling services, and was in the top tier in the East of England for the amount of residual recycling which residents produced.

Changes to the waste and recycling landscape were to be implemented by the Environment Act 2021, comprising three main areas:

- Extended Producer Responsibility for Packaging (EPR): The proposals cover the mechanisms to make packaging producers responsible for the full net cost of managing packaging that they place on the market.
- Deposit Return Scheme (DRS): The proposals instigate upfront deposits for plastic, metal, and glass drinks containers, to be reimbursed at return points.
- Consistency in household and business recycling: aims to standardise the materials collected across the UK from households and businesses.

In addition to this, the Essex Joint Municipal Waste Management Strategy (JMWMS) was under review, and as a result of these developments, it was proposed that a new Recycling and Waste Strategy be developed with the Environment and Sustainability

Panel working alongside Officers, the Portfolio Holder for Environment and Sustainability and an appointed consultant. The intention was that the Panel and the Portfolio Holder would work through the Strategy in a series of workshops which would be facilitated by Officers and the external consultant to prepare a Draft Strategy for recommendation to Cabinet by September 2023. It was intended that by 2030, the Strategy would:

- Deliver value for money
- Provide a safe, compliant, and resilient service
- Have a community asset based approach
- Minimise the impact on the environment
- Be transformative

Jason Searles, Head of Waste Policy and Circular Economy at Essex County Council, attended the meeting remotely and, with the permission of the Chair, addressed the Panel. The Panel heard that the JMWMS was currently being refreshed, and that this Policy was a statutory requirement for all two-tier local authority areas where waste collection was the responsibility of the district council, and disposal was dealt with by the county council. The JMWMS had been in place since 2009, and was being refreshed through the Essex Waste Partnership, which was an advisory group with representation from the 12 district and city councils in Essex. Work had been commissioned to model the impacts and outcomes of various waste collection, treatment and disposal regimes to help inform a future approach. Outcomes from the modelling were to be reported to the Partnership in the near future, and would enable the Partnership to consider what the overriding principles should be for the Waste Strategy for Essex. It was important to draw a clear distinction between the functions of the JMWMS, and Colchester's Waste Strategy, with Colchester's Policy focusing more on the operational side of waste collection, but the two Strategies still needed to be complimentary. The JMWMS would need to go through a public consultation process, and it was intended to launch this in late summer 2023, with the hope being that the revised JMWMS would be ready for adoption in late 2023 or early 2024.

In response to questions from the Panel, Rosa confirmed that with regard to the funding generated through the EPR scheme, it was intended that this would be gathered by a central organisation, and then distributed to local authorities, however, the practical arrangements for this had yet to be determined by central government. With regard to the proposed consistency in household and business recycling, central government had been consulting on the separation of different materials, the majority of which the Council was already doing, placing it in a good position for the future. It had been intended that consistency in household and business recycling regulations would be implemented in 2023/2024, but this was now looking unlikely. Business collections would be the subject of the new regulations first, in order to ensure that the necessary infrastructure was in place before household collections were also included.

It was confirmed to the Panel that Essex County Council was only responsible for the disposal of black bag and organic (food and garden) waste from Colchester, and all other recycling was dealt with by the Council itself. Black bag waste was currently being disposed of in a landfill at Stanway. Detailed information on the processing of waste by both Colchester Borough Council and Essex County Council was readily

available and could be distributed to the Panel.

The Panel suggested that care was taken to note areas of improvement from the last time that the Council had implemented a new Waste Strategy in 2016, when there had been significant issues, and that these areas for improvement be explored in early workshops.

In response to a suggestion from a Panel member that the workshops be opened to other Councillors with relevant experience in this area, Rory Doyle, assistant Director – Environment, advised the Panel that there would be some flexibility in how the workshops were conducted, and it was important that the right insights were obtained from the right people. It would, however, be necessary to maintain a relatively focussed group in order that the Strategy could move forward, but Councillors who were not members of this Panel were always welcome to contribute directly to the process via the service or feed back through Panel members. Consideration was given to opening the initial workshop to all Councillors, to provide the opportunity for a brainstorming session before narrowing the focus of the subsequent workshops.

In discussion, the Panel noted that the previous introduction of a new Waste Strategy had been very successful overall, but the issues which had been experienced during its implementation had been difficult to navigate and had caused considerable alarm amongst residents. It was of key importance to avoid such issues in the future, as problems with waste collection had significant impacts on local communities and the perception of the Council. In particular, the way that any changes were communicated to residents had to be very carefully considered, and it was suggested that a dedicated webpage which was updated at different stages of the project could be useful. The Panel was assured that the process would be as transparent as possible, and verbal updates on the development of the Strategy would be delivered to every public meeting of the Panel. Consideration would be given to consulting with Parish Councils if this was felt appropriate following workshop discussion, and opportunities for visiting other local authorities to learn from their own practices would be explored. Although one of the planned workshops was to be held at the Council's Shrub End Depot, the Panel was invited to attend the depot at any time for a tour of the facility, and the chance to meet and talk with staff who worked there.

RESOLVED that:

- Work be undertaken to develop a new Strategy for Recycling and Waste. - The Strategy be developed through a series of workshops facilitated by Officers and an appointed external consultant to define clear principles, objectives and evaluation criteria for the Strategy.

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Woodland & Biodiversity Project Update

Rosa Tanfield, Group Manager – Neighbourhood Services, attended the meeting to present the report and assist the Panel with its enquiries. The Panel heard that the project was now in the fourth of its five planned years, and was now considered as a unique opportunity to work together and develop a greener borough for future generations.

The successes that the project had enjoyed over the preceding year was highlighted to the Panel, and included:

- Ongoing working with other organisations
- The Big Green Internet, the Trust for Conservation Volunteers, The Ministry of Defence, Wivenhoe Town Council, The Unity Academy and Kent Wildlife Trust and Together we Grow. Wivenhoe Town Council had been supported on its 'No Mow, no Sow' programme, and the activity had been showcased to demonstrate what could be accomplished in local communities.
- A presentation was made about the Project to the One Colchester Climate Change Network, together with other organisations and groups.
- Continuing to deliver Colchester's Greening Policy, including stopping use of glyphosate weed killer and looking at the re-wilding of some sites, and reducing the grass cutting of other sites.
- Continuing to develop plans for a nature reserve in Cymbeline Meadow.
- Planted over 7,000 young trees.
- Worked with 4225 volunteers.
- Launching a new project called Community Orchards, and seeking suggestions from local communities as to where orchards could be sited to provide habitat for wildlife, and a food source for people and pollinators
- 4 cheviot goats had been introduced at Highwoods Country Park, and would be to be joined by another 6, to support the development of wildflower meadows

In response to an enquiry from a Panel member concerning green corridors between habitat sites, Rosa explained that the difficulty for any local authority which was attempting to create such sites was that it rarely owned or had control over the land between them. The Council did recognise the need for such corridors, and was constantly communicating with both private land owners and developers to encourage and support areas of green growth, re-wilding etc.

A Panel member expressed their support for urban tree planting, and noted that much of Colchester was not covered by Parish Councils or formal residents associations, How could tree planting be supported under these circumstances? The Panel was assured that any members of the public could contact Council Officers who would be very happy to assist with any elements of tree planting. Urban tree planting had already taken place in sites where there had formerly been trees which had died or been damaged, with 140 trees already planted, and a further 120 trees had been arranged.

The Panel heard that the Project had expanded from its initial goal of tree planting, and now included hedgerows and other forms of biodiverse habitat within its remit. Although extensive tree planting had taken place, it was acknowledged that the preceding year had been very difficult for new trees, and survival rates would be assessed in the spring, once new growth had been given a chance to establish itself.

With regard to areas which had not been traditionally mown by the Council, some had not produced wildflower as expected as the grass growth was too strong, and different methods were therefore being considered to re-wild these areas, including both active planting and distributing seeds across the area. Sites which were included in the 'No Mow' trial had been selected by Officers in consultation with the relevant Ward Councillors, however, Officers would welcome any future suggestions for new areas to be incorporated into this scheme or any future schemes such as community orchards.

In discussion, the Panel suggested introducing greening schemes into more urban areas, noting the success of the parklets which had been introduced in Colchester, and the excellent work which had been carried out by a Panel member in greening alleyways in the town. The Panel asked that communications with Councillors be clear when considering new projects, and Officers offered assurances that any input would be welcomed. It was suggested that the possibility of working with Colchester Borough Homes to create garden areas within the Council's social housing stock for the benefits of residents be explored.

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RESOLVED that: the contents of the report be noted.

Environment and Sustainability Work Programme 2022-2023

Cllr Scordis noted the remaining items on the work programme, and invited comment from the Panel. No additional items were requested at this time.

RESOLVED that: the contents of the work programme be noted.