

Environment and Sustainability Panel

6 December 2023

Present: Councillor Tracey Arnold (Deputy Chair)
Councillor Molly Bloomfield
Councillor Pam Cox
Councillor Mark Goacher
Councillor Sue Lissimore
Councillor Natalie Sommers

Substitutes: Councillor Michael Lilley for Councillor Steph Nissen
Councillor William Sunnucks for Councillor Paul Dundas

Also present:

107. Minutes of the previous meeting

RESOLVED that: the minute of the meetings of 21 September 2023 be confirmed as a correct record.

108. Have Your Say!

Elia Valentini attended the meeting remotely and addressed the Panel in accordance with the Council's Have Your Say! arrangements. He was a concerned resident and environmental activist, and asked whether it was possible to access a report detailing what the Panel had achieved to date, in terms of result and initiatives addressing its Terms of Reference, with particular emphasis on work supporting the implementation of the Council's Climate Emergency Action Plan. Would this information be made publicly available?

Mel Rundle, Head of Sustainability, confirmed that a review of the work of the Panel over the preceding couple of years would take place, and this would afford an opportunity to also consider the Panel's Terms of Reference to determine whether they were still relevant, or whether amendments were required. A report would be presented to the next meeting of the Panel, if this was possible, and would be publicly available.

Steven Vince attended the meeting and addressed the Panel in accordance with the Council's Have Your Say! arrangements. He had visited the last meeting of the Panel to speak about the City Council's involvement in criminal practices in relation to village green 241 which was situated on Coast Road, West Mersea, and was still waiting for his concerns to be addressed. The Council was the owner of the green and was breaching both the Commons Act and the Enclosure Act by leasing it and

charging people to use the green, and this unlawful practice had to stop. Mr Vince called for the City Council to abide by the law, considering that the legal costs which would be incurred in rectifying the situation would be far exceeded by punitive costs if the matter was not resolved.

The Head of Sustainability confirmed that she and other Officers had visited Mr Vince and Councillor Powling in West Mersea on 16 November following Mr Vince's contact with the Monitoring Officer and Chief Executive of the Council. She had explained at this meeting that the issues would not be quick to resolve and Mr Vince would receive a substantive response at the earliest opportunity. She and other Officers had a meeting with the Council's legal team in the coming week to consider the position. She had the documentation which Mr Vince had shared with Officers, and legal advice would be sought before Mr Vince was responded to. Mr Vince reiterated the fact that taking money from the public for the use of a village green was a criminal offence, and this had to stop.

Alan Short, attended the meeting and addressed the Panel in accordance with the Council's Have Your Say! arrangements. He spoke of his concern in respect of the continuing inclusion of Middlewick Ranges in the Local Plan as a designated area for the development of 1,000 houses. Since the Ranges had been included in the Local Plan, additional information had come to light from experts about the ecology and biodiversity which was present in the area, and the fact that it had been proven that green spaces provided great benefits for improved mental health. The Local Plan was due to be reviewed at the beginning of the next year, and he believed that the Panel was the right body to consider the ecology and sustainability of the Ranges. He considered that it would be more appropriate to designate the Ranges as an area of scientific interest or country park to preserve a unique site of over 200 years of grassland, and he requested that the Panel formulate an independent view. He was concerned that the designated area appeared to have been exceeded by 30% in a brochure which was being circulated to prospective developers, and urged the Panel to act.

A Panel member requested that an item be added to the work programme of the Panel containing a full report on the environmental impact of proposed developments in the area, containing a summary of all the environmental reports which had been provided. It was necessary to obtain a full picture of the environmental impact of the proposed development on the Ranges.

A Panel member considered it nonsensical that any developer on the site would have to find a site of similar area to replace the biodiversity which would be lost through any development there, when the biodiversity was already in place on this site. He was further concerned that the proposed limit of 1000 homes would be exceeded, and called on the Panel to take these concerns seriously. He considered it was wrong that this area of such rich biodiversity be included in the Local Plan and believed that it should be removed now.

The Head of Sustainability advised the Panel that an environmental report would require funding for a specialist ecological expert. The Terms of Reference of the Panel allowed it to make recommendations to Cabinet, and consideration of the requests could be added to the work programme of the Panel.

Martin Pugh, attended the meeting and addressed the Panel in accordance with the Council's Have Your Say! arrangements. He supported the comments which had been made previously made in respect of Middlewick Ranges. He was a senior ecologist for Essex Wildlife Trust for 18 years, and Middlewick Ranges was one of the most important and most significant wildlife site he was aware of. The area was part of a very important wildlife corridor which allowed wildlife to move throughout Colchester, and it was very concerning to hear of its inclusion in the Local Plan. He advised the Panel that there was a scientific consensus that irreplaceable habitats could not simply be re-created elsewhere, and ecosystems would be lost on both the Ranges and on the compensation site. Since the initial reports had been submitted, a huge volume of new information had come forward, and the Panel heard that the Ranges were home to 1,400 species of invertebrates, including a beetle threatened with extinction. The data needed to be reviewed, together with the huge volume of information which would be provided by local naturalists. The Panel was advised that a proposed development in Norfolk had been discontinued recently, as data from local naturalists had not been considered. A review of the Ranges site would be very valuable as habitat could not be recovered once it had been lost.

Stuart Johnson had submitted a written statement to the Panel, and although the reading of submitted statements was no longer provided for under the Council's Have Your Say! arrangements, the Chair consented to the Democratic Services Officers reading it on this occasion. Mr Johnson that the Essex Air Quality Consortium had recently launched a new website called Essex Air to provide information on air quality to residents of Essex, along with information about how they can play a part in making it better. This website included data from live air pollution monitors in Chelmsford, Southend on Sea, Thurrock and Tendring, however, there was no such information available to the residents of Colchester, despite the terrible statistic on the website that air pollution contributed to 5.5% of the deaths in Essex in 2021. The latest data for air pollution in Colchester available in the annual report was 12 months out of date. When will Colchester City Council act to provide live air quality information like other authorities in Essex?

In response to Mr Johnson's enquiry, the Chair of the Panel confirmed that Officers would provide an answer to his question after the meeting.

109. Essex Climate Action Commission Update

The Panel considered a report outlining some of the key actions which had been completed by Essex County Council that have been fed back to the Essex Climate Action Commission (ECAC), and outlining where Colchester City Council had been involved with these actions.

Ben Plummer, Climate Emergency Project Officer, attended the meeting to introduce the report and assist the Panel with its enquiries. The ECAC had been created 3 years ago and was made up of 30 people from different backgrounds including academics, business people, local government and the Young Essex Assembly. A report had been produced called 'Net Zero, making Essex Carbon Neutral' which outlined a set of recommendations and actions to make Essex carbon net zero by

2050. Essex County Council (ECC) Officers brogh updates on actions they were taking to the ECAC, which in turn offered advice and guidance. The report considered some of the key actions that Essex was working on, including land use and green infrastructure. Recent guidelines on biodiversity and net gain, and the provision of offsite credits to developers had been a topic of recent discussion between the 2 authorities.

The Panel was referred to the Officer's report which contained detailed information about the environmental themes which were contained in the Commission's report which were:

- Land Use and Green Infrastructure
- Energy and Waste
- Built Environment
- Transport
- Community Engagement
- A just transition to the green economy

A Panel member enquired about the Council's policy in relation to offsetting biodiversity net gain, and wondered whether this was now to be encouraged? The Climate Emergency Project Officer confirmed that ECC had examined 2 areas where the possibility of selling biodiversity net gain credits had been explored in great detail, and the reports which had been presented to the ECAC in relation to this work would be circulated to the Panel. The Council was at an early stage of discussing similar sites which could be offered in a similar manner.

In discussion, the Panel wondered whether there was scope to align the Climate Emergency plans more closely between the Council and ECC. It was suggested that 2 areas which had been missing from the discussion were farming practices, as Essex was a very rural county, and food systems. The Climate Emergency Project Officer confirmed that the Council did sit on an Essex Climate Action Anchor working group including other public sector organisation. Although it was difficult to maintain ongoing dialogue with ECC due to the limitations of available Officer time, the ECAC reports were very useful.

A Panel member suggested that ECC could take over Middlewick Ranges and turn the area into a country park for all to enjoy. Referencing the draft Electric Vehicle (EV) Charging Strategy, he wondered whether this would include existing petrol stations, noting that Essex Fire Service was concerned about the safety aspect pf EV charging points in petrol stations for the same reason that other electrical devices could not be used in these areas.

Louise Tennekoon, Climate Action Engagement Manager at Essex County Council attended the meeting remotely and advised the Panel that as part of the ECAC's work, there were a number of farmland owners coming together in farm clusters to implement sustainable practices. It was accepted that more work was needed in respect of sustainable food systems, and this was an area which would benefit from further consideration. She would endeavour to obtain additional information about potential issues with EV charging points in existing petrol stations.

The Panel acknowledged that one of the Air Quality Management Areas (AQMA) in Colchester had been removed in 2018, and discussions were ongoing around the potential removal of the remaining AQMAs, and this demonstrated that improvements in this area had been made.

RESOLVED that: the contents of the report be noted.

110. Domestic Energy Efficiency Funding and Support

The Panel considered a report providing detailed information regarding the delivery and successes of various domestic energy efficiency grants that were available to low-income households and residents with qualifying health conditions.

Keith Parker-Larkin, Domestic Energy Efficiency Improvement Coordinator, attended the meeting to present the report and assist the Panel with its enquiries. He was responsible for administering the various domestic energy grants which were available to residents of Colchester. The Panel received a presentation which provided detailed analysis of the 3 Grant schemes which had been administered – Local Authority Delivery, Phase 3 (LAD3), Energy Company Obligation, Local Authority Flexible Route, Phase 4 (ECO4 Flex) and the Home Upgrade Grant, Phase 2 (HUG2).

The LAD3 Grant was a government backed scheme administered by the Department for Energy Security and Net Zero (DESNZ) and was only available to owner-occupiers on gas-grid fuelled properties with an energy performance certificate (EPC) rating between D-G. The Council had been awarded funds of £599,823.23 to carry out surveys and install measures, with an additional award of £90,000 for admin and management costs. The project had ended on 31 March 2023 and out of a target of 57 properties, only 36 had achieved retrofit measures, which was due to a number of factors such as market capacity of installers who were suitably qualified, and delays to the scheme from the Council's managing agents, Warmworks. The grant funding of £277,584.12 which had not been spent was returned to DESNZ. A wide variety of measures had been installed into properties under the LAD3 scheme, and every property improved was required to have improved its EPC rating by 2 bands.

The HUG2 scheme was currently open until the end of March 2025, and was available to properties which were off-gas only and had an EPC rating between D-G. The Council had been awarded £2,060,000 which equated to an average spend of £18,000 across 120 properties. Properties which qualified for the funding had been identified and written to, and approximately 700 letters had been sent across a number of areas, and potentially qualifying properties had also been identified and written to. Applications for the scheme would be managed by the Council's agent Warmworks, however, telephone applications were managed by the Energy Savings Trust. The Council had carried out a number of promotional events, including events in Community Centres, attending coffee mornings, however, interest in the scheme had been disappointing. Marketing through paid social media posts was being considered to try to promote the scheme, and it was considered that the current poor

levels of interest could be caused by mis-information and a lack of trust that the letters which had been sent were genuine.

The ECO4 Flex scheme was a government backed scheme which was administered by Ofgem, and which had £1billion available nationally each year until 31 March 2026. It was available to all property fuel types and was only open to owner-occupiers, private sector tenants and landlords. There were various eligibility routes to funding under the scheme, meaning that it could be available to a much greater number of properties than other schemes. Over 70 applications had already been made under the scheme, which was higher than all the applications which had been made under the preceding ECO3 scheme for Colchester, which was extremely positive.

A Panel member shared the Domestic Energy Efficiency Improvement Coordinator's concerns that some residents would not believe that the offered support was genuine. It was suggested that it may be beneficial to consider the approach that had been taken by other Councils to emulate success which had been achieved elsewhere. The Panel offered its support to help promote the various funding which was available and invited Officers to ensure that Panel members were kept up to date with any promotional events, the details of which could be passed on to their residents. Panel members offered to use their social media channels to promote the availability of grants, and would pass on details of suitable events in their wards to the Domestic Energy Efficiency Improvement Coordinator.

The amount of £40,000 which had been spent on a single property was questioned, and the Domestic Energy Efficiency Improvement Coordinator explained that Warmworks had sent out a surveyor to visit the property who would have worked out which measures were able to be installed, and in that particular case exterior wall insulation had been fitted at significant expense. The decision on whether or not such installations were considered to be cost-effective was not made by the Council, but was down to the surveyors in each case. The Panel were assured that the Domestic Energy Efficiency Improvement Coordinator's post was funded until March 2024, and discussions were taking place for this post to continue into the future, either on a full-time or part-time basis.

A Panel member noted the various issues which the Council faced when both trying to promote the various funding which was available, and implementing improvements in properties. The Panel heard that 25% of Colchester residents were renting their property, and it was suggested that the Domestic Energy Efficiency Improvement Coordinator should consider working with the Council's own Private Landlord Team to better reach both these residents and their landlords. Colchester Borough Homes (CBH) had made good progress in this area as a volume social landlord, and it was suggested that this organisation may be able to offer advice on this subject. The Domestic Energy Efficiency Improvement Coordinator advised the Panel that discussions were taking place with the Council's communications team around the best way to promote the subsidies which were available, and consideration was being given to using paid for adverts on social media. It was also intended to try to encourage referrals to be made to the schemes via healthcare providers, as the benefits on health of warm homes were significant. It was noted that the uptake on the funding which was available had been disappointing.

nationally, and the volume of schemes which were on offer was confusing to potential customers. The Council had tried to simplify what was being offered to residents through information on its dedicated webpages.

A Panel member questioned what controls were in place to ensure that money which was spent on improvements to housing was appropriate and delivered value for money. The Domestic Energy Efficiency Improvement Coordinator explained that all money spent was subject to both internal and external audit, and would be considered by either DESNZ or Ofgem who would ensure that any spend had been acceptable. The Panel was assured that the Council was not directly responsible for allocating funding of this nature under the current schemes on offer.

In discussion, the Panel wondered whether it would be possible to include the guidelines for eligibility in communications concerning the schemes. It did consider that it would support the idea of paid for advertising on social media channels, as if messages were seen to be promoted by the Council as a trusted provider, this may go some distance to alleviating fears which residents may have. Although it was heartening that residents were becoming more aware of scams, this did mean that greater effort was required on the part of the Council to provide greater assurance that what was being offered was genuine.

RESOLVED that: the contents of the report be noted.

111. Council Climate Action Scorecards Summary

The Panel considered a report which outlined the results of the Council Climate Action Scorecards and the ways in which the Council was already addressing some of the identified gaps in the assessment.

Ben Plummer, Climate Emergency Project Officer, attended the meeting to present the report and assist the Panel with its enquiries. The Panel received a presentation providing a summary of the Council Climate Action Scorecards, which had been produced by Climate Emergency UK and which undertook an assessment of local authority climate action from January 2019 to March 2023. All local authority Climate Action Plans had been reviewed, and the Council had obtained a score of 52%, which was above the district average of 43%. A revised Action Plan had been published at the start of 2023 which contained improvements as a result of the review which had been carried out.

The Council had been praised by the assessors for the variety of shared transport schemes which it was operating, as well as the setting of targets for the retrofitting of Council houses and future performance. The Council's work in phasing out the use of glyphosate herbicides was recognised, together with the work which was being undertaken with local schools and businesses. The comprehensive nature of the Council's Climate Emergency Action Plan was praised, together with the manner in which it was reported to the Panel.

The Climate Emergency Project Officer considered that since March 2023, the Council had carried out further actions which would have improved its score in the

assessment. Examples of these actions included working to get an energy support helpline with Better Housing, Better Health, and the development of supplementary planning documents on active travel, climate change and biodiversity. Additionally, a new question had been introduced into the Council's procurement process concerning the environmental impact of the process, and e-learning on environmental awareness had been prepared for staff and carbon literacy for Councillors.

Following the assessment, areas for improvement had been identified which were being addressed by Officers, including consideration being given to including the risk of climate change in the Council's Strategic Risk Register, addressing air quality issues in the city, ongoing community engagements and the reduction of single-use plastics.

The Panel was advised that the assessment which had been carried out represented a snapshot in time of activity, and that all local authorities faced different challenges or circumstances, meaning that direct comparisons were often difficult. Some areas of the assessment were not considered to be particularly relevant to most local authorities, including questions on food strategies which Council's had little influence over.

In discussion, the Panel suggested that consideration be given to examining the work of the highest scoring Council in each of the categories to identify areas of best practice, together with a more detailed examination of the categories against which the Council had been assessed to identify the most effective actions which could be taken to generate improvements. The Climate Emergency Project Officer confirmed that the scorecards were being examined in this way, but cautioned the Panel that work should not be undertaken solely with the aim of increasing the Council's score, but because the work had merits in its own right, and would improve the position of the Council and its residents.

A Panel member enquired whether or not the Panel could make a recommendation to the Local Plan Committee that it should examine the work of high scoring Councils in the Planning and Land Use category and factor this work into its own examination of the Local Plan. Officers would find out whether such a recommendation was possible.

RESOLVED that: the contents of the report be noted.

112. Climate Emergency Action Plan Update.

The Panel considered a report which detailed key progress and updates from actions in the Climate Emergency Action Plan (CEAP) and other relevant updates since its last meeting on 21 September 2023.

Ben Plummer, Climate Emergency Project Officer, attended the meeting to present the report and assist the Panel with its enquiries. The Panel heard that he updates contained in the Officer's report had been covered in previous discussions at the meeting, and there were no additional substantial points to be highlighted at this time.

RESOLVED that: the contents of the report be noted.

113. Work Programme 2023/2024

The Panel considered a report outlining its work programme for the current municipal year.

Mathew Evans, Democratic Services Officer, attended the meeting to present the report and assist the Panel with its enquiries.

RESOLVED that: the contents of the report be noted.