

ECONOMY AND ENVIRONMENT POLICY COMMITTEE

Minutes of a meeting of the Economy and Environment Policy Committee of South Norfolk District Council, held on Friday 19 November 2021 at 2pm.

Committee Members Present:	Councillors: J Knight (Vice Chairman, Chaired the meeting), C Brown, J Easter, J Hornby, K Hurn, S Nuri-Nixon and R Savage
Apologies for Absence:	Councillors: V Clifford-Jackson, F Curson, D Elmer, G Francis and L Glover
Officers in Attendance:	The Assistant Director for Regulatory (N Howard) and the Democratic Services Officer (J Hammond)

23 MINUTES

Members noted that Cllr L Glover had given her apologies for the meeting on the 15 October, and requested that this be added to the minutes.

The minutes of the meeting of the Economy and Environment Policy Committee held on 15 October 2021 were agreed as a correct record, subject to the above amendment.

24 CHANGE OF ORDER

The Chairman announced a change in order of the agenda items. He advised the Committee that Agenda Item 6 – Review of Environmental Enforcement Penalties would be considered before Agenda Item 5 – Referrals from Council.

25 REVIEW OF ENVIRONMENTAL ENFORCEMENT PENALTIES

The Assistant Director for Regulatory introduced the report, which set out the proposed amounts of fixed penalty notice charges for specified environmental

and anti-social behaviour offences. The Committee was advised that this report was a continuation of the discussion at the last Economy and Environment Policy Committee on 15 October 2021. He explained that there had been no changes to the proposed fixed penalty charges since the last meeting.

Members were advised that the Council as a regulatory authority had arrangements in place for enforcement by way of serving fixed penalties. The importance of setting the fixed penalties at the right level was noted, if set too high fines might be challenged in court, and if set too low they would not be a deterrent. The Assistant Director for Regulatory explained to the Committee that fixed penalties were a last resort, and that an escalating series of steps were often carried out before the fixed penalty was issued. He also explained that there were a few exceptions to this where necessary, for example in cases of fly-tipping.

The Committee noted that the collaboration with Broadland District Council had led to the need for the alignment of fees to create a simple process that applied to both Councils.

In response to a question regarding the public perception of fixed penalty notices being used as an income stream for the Council, the Assistant Director of Regulatory explained that it cost the Council more to carry out environment enforcement than they received in fixed penalty notice charges. He also explained that all proceeds of the paid fixed penalties were reinvested into the respective service area.

One member requested clarification on the offence of 'repairing a vehicle on the road', and the Assistant Director for Regulatory explained that this offence related to businesses that carried out their trade on the side of the road instead of at a designated business premises. This did not apply to members of the public having to repair their vehicles on the side of the road, in cases of vehicle breakdowns.

In response to a query on the offence of failing to produce a waste transfer note, the Assistant Director for Regulatory advised that legitimate traders who carried out waste disposal must follow a lawfulness paper chain and possess a license to carry out the work. He explained that officers worked alongside the police to carry out spot checks and investigate individuals suspected of operating without a licence, and he further explained that when stopped the trader had up to seven days to provide evidence of their licence to the environmental enforcement team. One member queried whether officers worked alongside / liaised with local skip hire companies. The Assistant Director for Regulatory explained that the majority of work on waste enforcement cases was carried out by the Environmental Agency.

In relation to the offences of exceeded permitted noise levels, the Assistant Director for Regulatory informed members that South Norfolk Council had not adopted the Noise Act 1996 as it had been felt that it was not a regular issue across the district, and as such no enforcement was carried out in this area. He explained that a fixed penalty notice charge had been set in case there was a need to adopt the Noise Act 1996 in the future.

Members expressed support for the policy and proposed penalty charges, outlined in the report and after further discussion it was;

RESOLVED

To recommend that Cabinet:

- 1) Agree the setting of fixed penalty notice charge levels for specified environmental and anti-social behaviour offences as proposed in Appendix 1.
- 2) Agree that the proceeds of paid fixed penalty notice charges be reinvested in the respective service area's revenue expenditure budgets to support further service delivery.

26 REFERRALS FROM COUNCIL

The Chairman, Cllr Knight, introduced the item and reminded members of the two motions referred to the Economy and Environment Policy Committee by full Council at its last meeting on 11 October 2021.

He explained that it was his intention that both motions be considered together and for the Committee to provide Council with one concise motion which focussed on the responsibility of the Council and the emergency of the situation.

He then proposed the following motion, seconded by Cllr K Hurn (a hard copy of the new proposed motion was then circulated to members of the Committee).

Following the global agreement reached at COP26 to accelerate action on climate change, this Council re-affirms its commitment to taking urgent action to protect our local environment, by preparing positively for and delivering a zero carbon future.

This Council further accepts the urgency of meeting the challenges that the Environment Act 2001 will place on every council, every business and every household.

We commit ourselves to achieving the twin objectives of reducing carbon emissions in our area and raising awareness of all environmental issues to enable everyone to play their part in protecting both the global and our local environments.

We therefore propose to take an urgent, balanced and positive approach to all environmental issues, focussing on three main themes:

Building upon our Environmental Strategy, and based upon the upcoming results of the Council's recently commissioned Carbon Audit, we will consider the initiation of a Decarbonisation Strategy for the Council to help the Council be more efficient, cost-effective and prepare for a post-carbon world.

Helping our residents and businesses play their part by easing recycling, enabling adoption of electric vehicles and ensuring that their homes and business premises can adapt to changes in the economy and expectations for energy efficiency.

Strengthening our commitment to a Clean and Safe Environment for our residents to enjoy and where our businesses can thrive. This includes enhancing our local natural environment and maintaining clean streets, air quality and clean water, reducing contamination, and cracking-down on all types of environmental crime such as fly-tipping.

We endorse positive planning for a post-carbon economy which is sustainable, generates wealth and helps us all achieve net zero emissions.

Everyone in South Norfolk can play an important part in limiting global temperature increases to less than 1.5 degrees and the Council is fully committed to this objective and recognises that the need for action is urgent.

A typographical error was noted, that the motion should read "the Environmental Act 2021" not "2001"

One member noted that whilst the draft motion was concise and sounded positive, it lacked targets and measurement methods for the Council to aim toward, nor did it call for the Council to declare a Climate Emergency, or make reference to the Climate and Ecological Emergency Bill, which was due to receive a second reading by the Government on 10 December 2021.

Some members suggested that the majority of the contents of the Climate and Ecological Emergency Bill was already included within the Environmental Act 2021, with the remainder of the contents not actionable or enforceable by District Councils.

In response to a question, the Assistant Director for Regulatory informed members that there was no target date set within the Environmental Strategy for the Council to become carbon net zero. He advised the Committee that the Council had commissioned a Carbon Audit, which was due to be completed in early 2022, and he explained that once completed, the Carbon Audit would allow the Council to set a clear and achievable target date for the Council to become carbon neutral, instead of an aspiration date.

Members queried whether officers were aware of the carbon footprint of the Council. The Assistant Director for Regulatory responded that the Council did not know its carbon footprint, however it would be aware of it once the Carbon Audit had been completed. He added that the Council had endeavoured to adopt low environmental activity, but noted that work was still needed to make the Council carbon net zero. After further discussion, the majority of members agreed that it was premature for the Council to set specific targets and target dates before the Carbon Audit was complete.

One member highlighted the importance not only of achieving carbon net zero, but of the need to enhance the local natural environment and increase biodiversity. After further discussion, where a number of methods to promote biodiversity were suggested, such as tree planting initiatives and re-wilding projects, the majority of members agreed on the importance of improving biodiversity alongside achieving carbon net zero.

Some members expressed their disappointment that the proposed draft motion did not declare a Climate Emergency; they stated that it placed South Norfolk Council behind other authorities who had already declared an emergency, which included central Government. Another member felt that it was not the place of individual district councils to declare a Climate Emergency on behalf of the whole country.

The Chairman reminded the Committee that they were asked to put forward a motion that all members could agree on. Members further discussed the use of the word “emergency” as well as the connotations and public perceptions behind it. One member highlighted a report by the Environment Agency which stated that “hundreds of people have died due to flooding caused by climate change” and reiterated their belief that a climate emergency should be declared. Another member stated that declaring an emergency would not result in any change, as only actions could do that, not words. Some members felt that use of the term “emergency” was important as it showed residents and businesses that the Council was taking climate change seriously. Other members however, felt that the actions taken by the Council along with a commitment to initiate a Decarbonisation Strategy with defined targets and actions, based on the findings of the commissioned carbon audit, already showed residents and businesses that the Council was taking climate change seriously.

Members discussed support for green projects such as the instillation of smart chargers, solar panels, heat source pump heating and insulation when building new homes. One member queried whether the Council could offer incentives to developers and it was also noted that some developers were already looking ahead to consider future environmental needs.

The Committee agreed that the Assistant Director of Planning, or a nominated representative, be invited to a future meeting of the Economy and Environment Policy Committee to advise on what was being done, in planning terms, and what further could be done to mandate the installation of lower carbon and higher sustainability measures into new housing developments.

Referring back to the contents of the draft motion, members agreed that the following changes were required:

- Clarify that the Council's commitment was to deliver a net zero carbon future.
- State that following the results of the commissioned carbon audit, the Council would initiate a Decarbonisation Strategy and implement targets and required actions to become carbon neutral.
- Firmly state that the Council would help residents and businesses by actively promoting recycling, enabling adoption of electric vehicles and ensuring that their homes and business premises can adapt to changes in the economy and expectations for energy efficiency.
- Promote the improvement of biodiversity as part of the enhancement of the local natural environment.
- Remove the specific examples of environmental crimes, to make it clearer that there would be a crack-down on all types of environmental crimes.

One member indicated that whilst they were pleased with the work undertaken by the Committee at this meeting and of the changes made to the initial draft motion proposed by Cllr Knight, they felt that they could not support this motion as fundamental aspects of the original motion submitted to Council missing.

The Chairman read out the new substantive motion, which was then proposed by Cllr Easter, and seconded by Cllr Hornby.

A vote was then taken, and with 4 in favour, 1 against and with 1 abstention, it was;

RESOLVED

To recommend that the Council adopts the following motion:

Following the global agreement reached at COP26 to accelerate action on climate change, this Council re-affirms its commitment to taking urgent action to protect our local environment, by preparing positively for and delivering a net zero carbon future.

This Council further accepts the urgency of meeting the challenges that the Environment Act 2021 will place on every council, every business and every household, through the 25 year Environment Plan.

We commit ourselves to achieving the twin objectives of reducing carbon emissions in our area and raising awareness of all environmental issues to enable everyone to play their part in protecting both the global and our local environments.

We therefore propose to take an urgent, balanced and positive approach to all environmental issues, focussing on three main themes:

Building upon our Environmental Strategy, and based upon the upcoming results of the Council's recently commissioned Carbon Audit, we will initiate a Decarbonisation Strategy for the Council to become more efficient and cost-effective, and to implement targets and required actions to become carbon neutral.

Helping our residents and businesses play their part by actively promoting recycling, enabling adoption of electric vehicles and ensuring that their homes and business premises can adapt to changes in the economy and expectations for energy efficiency.

Strengthening our commitment to a Clean and Safe Environment for our residents to enjoy and where our businesses can thrive. This includes enhancing our local natural environment through improving biodiversity, maintaining clean streets, reducing contamination, and cracking-down on all types of environmental crime.

We endorse positive planning for a post-carbon economy which is sustainable, generates wealth and helps us all to achieve net zero emissions.

Everyone in South Norfolk can play an important part in limiting global temperature increases to less than 1.5 degrees and the Council is fully committed to this objective and recognises that the need for action is urgent.

(The meeting concluded at 4.00 pm)

Chairman