



ENVIRONMENT SCRUTINY COMMITTEE

Minutes of a meeting of the Environment Scrutiny Committee held on Wednesday 29 November 2023 at 6.00 pm in Third Floor, Southwater One, Southwater Square, Southwater Way, Telford, TF3 4JG

Present: Councillors M Boylan (Chair), P Davis (Vice-Chair), T L B Janke, I Preece, H Morgan, T J Nelson and H Rhodes

Also Present: Councillors C Healy (Cabinet Member: Climate Action, Green Spaces, Heritage & Leisure)

In Attendance: A Brookes (Service Delivery Manager: Highways, Engineering & Project Development, Telford & Wrekin Council), E Harvey (Lead Lawyer: Property & Commercial), F Mercer (Director: Communities, Customer and Commercial Services, Telford & Wrekin Council), M Liddeth (Place Manager – Shropshire and Worcestershire, Environment Agency), P Hayward (Environment Agency), G Mead (River Rangers Manager, Severn Trent) and S Yarnall (Democracy Officer (Scrutiny), Telford & Wrekin Council).

ENVSC13 Declarations Of Interest

None.

ENVSC14 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 28 February 2023 and 14 September 2023 be confirmed and signed by the Chair.

ENVSC15 Biodiversity Net Gain

The Development Management Service Delivery Manager and Director: Prosperity & Investment provided a summary of the report to the Committee.

Members were informed that updated guidance on Biodiversity Net Gain had been provided by Central Government and Members would receive a further update at the meeting at the February 2024 meeting.

Members were informed that the changes in legislation would need to be reflected in the planning permission process in terms of both applications and



decisions made by the Council's Planning Committee. There would also be a minimum requirement of 10% biodiversity net gain on applications and public bodies such as the local authority would have enforcement powers in response to this. Members were informed that these would be enforced by the Office for Environmental Protection and that there would be additional support from Government to cover any burdens.

Members were provided with an update on the work on the Local Nature Recovery Strategy as part of Biodiversity Net Gain. This work was in partnership with other organisations and local authorities with Shropshire Council acting as the lead authority. The strategy was said to promote the protection and the improvement of local habitats. There were no powers of enforcement on the applicant to comply with this, but there were positive nature solutions that would be fed back into the local plan.

Members were informed that the strategy aimed to leave the environment in a measurably better state than prior to development and that the Council would be the lead on the urban aspects of the strategy. From January 2024, it was heard that Biodiversity Net Gain would be applicable across major sites and from April 2024 it would be applicable across smaller sites. A further update would be provided to Members in the February 2024 meeting to discuss further guidance and implementation of the policy from Central Government.

This would result in further impact on planning permission and the use of S106 monies on future developments. The policy was currently being tested against the local plan with projects like the Grassland pilot to develop guidance and means of identifying compensation and mitigation methods with future developments. The policy required sites to be monitored and maintained for a minimum of 30 years as a duty of all public bodies. Members were informed that the policies and sites would need to be reviewed every 5 years.

Following the presentation, Members posed the following questions and statements.

If an application had been approved, could the policy be applied to those that are not meeting the 10% biodiversity net gains once the policy comes into effect?

Unfortunately, once the application had been approved the legislation could not be enforced due to it being after the application of the policy. However, locally, applications reviewed before the legislation had a net neutral agreement as part of the local plan. Ongoing planning applications and developments had conditions on delivery as part of the s106 agreement.

Could applications be rejected if they did not meet the Net Gain?



Applications could be rejected and for approved applications there were enforcement rules in place if applications did not meet the net gain requirements and the obligations within the s106 agreement.

How would you monitor the progress towards Biodiversity Net Gain?

This would be part of the planning condition within the s106 agreement and data/metrics would be available from the Government for monitoring the Net Gain.

Would the introduction of the legislation have further impacts and will these impacts affect any of the work already done by the Council?

Even though there would be legislative targets with the introduction of Biodiversity, the Council had set their own targets over the last few years to meet Net Zero and how it could be incorporated with the new legislation.

Had there been challenges already identified?

The guidance from the Government would help to determine challenges that might be faced.

Would the introduction of the legislation impact the Local Plan and would it be a live document?

The Local Plan highlighted a minimum of 10% net gain required by law and that there would be measures put in place to reach this as well as making it financially viable.

Were there areas of land owned by the Council that could be used for offsetting?

There were 130 hectares that were identified and surveyed that were under Council ownership that could be used.

The Cabinet Member: Climate Action, Green Spaces, Heritage & Leisure and Members of the Committee thanked officers for their work and for providing an update on the legislative changes.

Following questions from Members, the recommendations as outlined in the report were voted on and it was:

RESOLVED – that:



a)The proactive approach to delivering the new mandatory Biodiversity Net Gain, and the challenges to date whilst awaiting national guidance be noted by the committee; and

b)The approach taken into the introduction and delivery of Biodiversity matters contained with the Environment Act be noted, and a further detailed consideration of Biodiversity Net Gain implementation and delivery for February 2024 be recommended by the committee.

ENVSC16 River Pollution

Members received a presentation from representatives of the Environment Agency and Severn Trent Water respectively to discuss river pollution. The presentation summarised the ways in which river pollution was being monitored and controlled through the use of the Combined Sewer Overflow system (CSO). There were a number of these systems across the Borough that operate under high rainfall conditions. The presentation highlighted public concerns received regarding the levels of river pollution in the Borough. Members were informed that the misuse of CSOs was one of the contributing factors for increased river pollution. Members were informed that the most common cause for river pollution was due to leaking and blocked sewers that overflow the CSO and therefore does not allow the system to filter the sewage correctly.

Water companies were responsible for the monitoring, instillation and maintenance of CSOs when there were reported issues. Members were informed that the Environment Agency worked in partnership with the Council and water companies to make sure that the environment was being protected such as a recent £600K investment in improving the local rivers. The 'Love your rivers Telford' investment in 2018 saw a focus on improving local water courses in Telford which sought improvement in waste disposal as well as support with enforcement of recently introduced regulations.

Members were informed of the new regulations that apply to water companies such as Severn Trent. These regulations from the Environment Agency made it a requirement for monitoring of CSOs and to publish figures online. Members were also informed of the ongoing audit of water companies by the Environment Agency and that the focus of this was to share information on the work that was being conducted.

The presentation summarised the overall picture in Telford with 105 incidents of pollution being reported as a result of misconnections. Following this, Members were informed of the 24/7 hotline which members of the public could use to report pollution. Representatives from both the Environment Agency and Severn Trent asked Members to speak to their communities and work with them to better the experience in Telford and Wrekin.



Following the presentation, Members posed the following questions.

Were there any sewer maps that highlighted which drainage systems were used in particular buildings?

A representative from Severn Trent explained that there were sewer maps that outlined this, but they were complex. Members of the public could apply to see the sewer maps but highlighted that they would need to be specific areas to highlight the exact networks as they were interconnected.

When monitoring the levels of pollution what were the points of impact?

The Environment Agency explained that the responsibility for monitoring fell to the water companies but each monitor had different levels and when levels of pollution were at a certain point, the stations responsible would engage to reduce the levels.

What were the responsibilities of Severn Trent on isolated water courses and building development?

Representatives from both the Environment Agency and Severn Trent explained that the role was to report the levels of pollution to the Environment Agency and then work in partnership with the local Council to deal with the issue. If the pollution was caused by the developers, the partnership working and monitoring would help to support the prosecution of the developers.

If there were any reports/complaints put in about a developer causing pollution would the conclusion of any investigations be available?

The Environment Agency representatives informed Members that they would be available online to view.

If there were instances of water/river pollution and it was traced to a landlord or developer, what would be done?

Severn Trent would be responsible for undertaking an investigation and would try to track and trace the sources of the pollution, however it was noted that there were some challenges to consider such as weather conditions. Following an assessment of severity, it could result in the issuing of fines but if it was traced back to a home owner, landlord or developer it was down to the responsible individual to rectify.

What had been some of the more proactive ways that officers had been doing to tackle pollution in rivers and bodies of water locally?



The Environment Agency explained to Members that there were officers and volunteers that would walk alongside riverbanks to identify instances of pollution in waters locally.

Members were pleased to hear about the retrofitting of previous monitors that monitored pollution and wondered if the data would be shared in a live format for people to view?

Severn Trent explained that currently the data was not in a format for members of the public to view live. However, Members were informed that this facility should be available for members of the public by Spring 2024.

What processes would be in place to scrutinise the data?

The data was said to be collected from water companies such as Severn Trent on a monthly basis and then submitted to the Environment Agency for scrutiny of which would then be published on their website.

Recently, the issues regarding flooding and pollution in the river in Ironbridge had increased; what was being done to address this from water companies?

Severn Trent explained that they recognised the increased awareness of flooding and pollution in areas like Ironbridge and that they were working on improving the perception of pollution in the river. Members were informed that 3 years ago they made the data public in the media to show the current levels of pollution as well as the next steps to prevent any further pollution. This was done through different methods and schemes to see which had the best impact with the goal of reducing the levels of pollution in Ironbridge by 2025.

How would Severn Trent support low income families that were impacted by and issues with their water in their homes such as sewage/flooding?

Grants were available for those on low income to support with costs of repair if there were water damages caused to the property.

Were the profits recorded for Severn Trent available to be viewed?

They were accessible via the Severn Trent website.

With recent and future development in areas such as Coalport, what was being done by Severn Trent to account for the growth of the town and water supply?

Members were advised that Severn Trent were in conversation with engineers to best invest in the area to ensure that the water supply was appropriately set-up. The Service Delivery Manager: Highways, Engineering & Project



Development, Telford & Wrekin Council, further explained to Members that they were working closely with Severn Trent to ensure that the correct water connections were set-up.

How could the Council support the reporting of river pollution?

The Environment Agency explained that they had trialled different methods with other local authorities such as Nottingham City Council and worked with local volunteers to support with the identification of river pollution. Members and officers discussed working with the Environment Agency's Communications Team and the Council's own internal Communications Team to further support education and identification of local river pollution and where to report it to.

Members discussed the use of MyTelford and whether this could be linked to support the reporting of river pollution. However, officers from the Environment Agency and Severn Trent welcomed further collaboration but suggested the continuation of the hotline as it was 24/7 and allowed for swift and efficient action to be taken as well as being able to receive the live data of reports being lodged.

With the introduction of Biodiversity Net-Gain legislation, were there opportunities for additional funding to be provided to support preventing river flooding and pollution?

Members were advised that funding was available for farmers and developers to support and promote the environment to prevent flooding and pollution. It was discussed that the Environment Agency were working closely with the local Planning Team to develop this and examine the national picture with the introduction of the legislation to be applied locally.

Following questions, Members discussed and moved to create a working group to examine this further. Officers from the Council, Environment Agency and Severn Trent welcomed this and discussed the benefits that a working group could have in terms of further education and collaborative working.

Members voted unanimously to develop a working group and that the Democratic Services Officer (Scrutiny) would work to set-up a working group.

RESOLVED – that a working group to review river pollution locally and work with partners such as the Environment Agency and Severn Trent to see how best the Council could support reporting instances of river pollution be established.

ENVSC17 Work Programme Review



The Democracy Officer (Scrutiny) presented the updated Environment Scrutiny Committee work programme to Members. This provided an overview on items scheduled for the remainder of the municipal year as well as a summary of the outcomes from the work that the Committee had completed. This included an update of the work of Climate Change Adaptation whereby an officer briefing would be presented, followed by an all elected member briefing as well as a workshop for the Environment Scrutiny Members to provide comment before the plan would be formally presented to Cabinet in April 2024.

ENVSC18 Chair's Update

The Chair informed Members that the next meeting of the Committee would be scheduled for 6 February 2024.

The meeting ended at 7.53 pm

Chairman:

Date: Tuesday 6 February 2024