

ENVIRONMENT SCRUTINY COMMITTEE

MINUTES of a meeting of the Environment Scrutiny Committee held on Wednesday 9 December 2020 virtually.

PRESENT:

Cllr Phil Awford	Cllr Stephen Hirst
Cllr Robert Bird (Chair)	Cllr Sajid Patel
Cllr Dr John Cordwell (Vice-Chair)	Cllr Suzanne Williams
Cllr Kevin Cromwell	

Substitutes: Cllr Rachel Smith

Officers in attendance: Simon Excell, James Blockley, David Hudson (Environment Agency), Hayley Deighton (Environment Agency), Cllr Nigel Moor (Cabinet Member for Environment and Planning) and Cllr Vernon Smith (Cabinet Member for Highways and Floods)

Apologies: Cllr Eva Ward and Cllr Keith Rippington

2. DECLARATIONS OF INTEREST

Cllr Phil Awford declared an interest as Chair of the National Flood Forum and as a representative for the Wessex/Severn Wye at the Regional Flood Defence Committee.

3. MOTION 864: RESTORING OUR RIVERS

- 3.1 To begin, the Chair invited Cllr Paul Hodgkinson, the proposer of the original motion, to introduce the item. The Committee were reminded that this motion was presented at full Council in September 2020 and received a lot of cross-party support.
- 3.2 Gloucestershire was very proud of its natural landscape and the 28 rivers within attracted a lot of visitors, revenue and enjoyment for the county's residents. What had come to light more recently however, was the level pollution of these rivers were experiencing through the discharge of harmful pollutants, raw sewage and human waste. This pollution was causing extensive damage to our fragile eco system as well as being a major public health concern for residents and visitors. This issue was not unique to Gloucestershire, across the country, only 14% of rivers were rated as 'good' in terms of ecological status. For the Thames region this figure falls to just 3%. It was a topic that was beginning to be discussed all the way up to national politics.
- 3.3 In terms of GCC's responsibility, the proposer saw Councillors role as elected officials to step up and be the first port of call to hold relevant authorities to account and show leadership on tackling this scandal.

- 3.4 Second, the Chair invited Cllr Bernard Fisher, seconder of the initial motion, to contribute. The Councillor endorsed the previous comments and urged the Committee this was a non-political issue which was of major national concern. They added that this problem was only going to get worse through increased housing capacity, free range farming and the impacts of climate change on our weather patterns.
- 3.5 The Committee next welcomed David Hudson, Environment Manager for Gloucestershire and Warwickshire at the Environment Agency (EA), to present their response to the motion. Members noted the following points:
- The EA recognised GCC's responsibilities (as set out by the published report from James Blockley) as the lead flood authority, and being distinct from that of the EA on this issue.
 - The approach to how we managed water pollution in the UK was complicated. It was a two regulator approach where the EA set the environmental standards (which were largely driven by national legislation) and enforce those standards but they did not control the investment water companies were required to contribute towards delivering improvements to water management.
 - These investment levels were set over a 5-6 year period by an organisation called OfWat and they regulated the economic delivery of that expenditure. This was essentially the control factor for how quickly essential improvements could be delivered.
 - The target for these improvements however, was not to deliver water of 'bathing' standard, but to a standard of acceptable ecological status, which was not as high a standard as bathing/drinking water. This was not a decision the EA were able to reverse as it derived from national legislation. The EA were very aware that this was often misunderstood by the public and there was a noticeable mismatch between what the legislation was designed to deliver and what the public expected.
 - On the issue of sewers, the country largely ran on combined sewerage systems which meant that surface water and foul sewage all ran into the same pipe. What happened therefore when we experience heavier rainfall was the pipes were not big enough to cope with the increased surface water and that's when they overflow. Part of the solution for river pollution was to have separate sewers so if they did overflow in bad weather, the flood water was essentially clean rain water, rather than being combined with foul sewage. Almost all new developments were now built with separated sewer systems.
 - The creation of the River Seven Partnership (which will be discussed later in the meeting) will allow more flexible priority work for those areas along the River Seven.
 - There was an option for local authorities to apply to the Secretary of State to have a higher standard of water quality allocated to an area. This application needed to be driven by economic and social reasons of why it would be beneficial for the applying area. This was a separate process with national Government and the EA would only become involved in the

process once the area of water had been designated and there was a need to deliver that higher standard. It could be that the River Seven Partnership would be the body to help GCC scope this work if it was required.

Questions

- 3.6 Whilst accepting that the biggest pollutant to rivers was discharged from water companies, it was questioned what was being done to police pollutants from crafts on the river. It was advised that craft owners were regulated by the navigation authorities who would provide guidance on waste and they would encourage good practice through their licensing. If the EA were made aware of craft discharging pollutants into a river, it would be happy to investigate but its staff could not be everywhere and they relied on people reporting such incidents. They could not recall a major incident of boat discharge recently but clearly appreciate that lots of little incidents still add up to damage of the river.
- 3.7 It was questioned what standards the EA were working to in terms of their expectation on water companies. The Committee were referred to section 4 of the report which explained that this was the responsibility of Ofwat, the economic regulator, to make sure companies delivered a good environmental standard and only the monitoring of that standard was carried out by the EA. In addition it was noted that clearly water companies navigated in the public eye, and they were increasingly focused on the public perception of the service they were providing.

ACTION: Share Ofwat website link where monitoring data is published

- 3.8 Methods of this monitoring would include things such as; taking samples from the river water and discharge coming out of the pipes, monitoring the existence of habitat, checking the quantity of fish and looking at the riverbed sediment. All the monitoring would add up into an environmental scoring that would be added to the overall assessment for that area. It was added that there was also separate, and almost continuous monitoring of the discharge by the water companies themselves.
- 3.9 The Water Framework Direction was an overarching umbrella piece of legislation that held everything in place and set the standards that the EA work with. It was viewed as a strong and sensible piece of legislation that allowed Government to drive what they needed to do.
- 3.10 The EA felt it had sufficient resource to deliver the environmental standard it was required to deliver in Gloucestershire. It was reiterated however that the public perception of this adequacy of resource may be different as their expected standard tended to be a lot higher.

ACTION: Share further detail on Catchment Area Based Approach at point 7.5 in the report

- 3.11 Several members highlighted the popular use of some areas of the river in Gloucestershire, such as Bourton on the Water in the warmer months. Members felt there was a responsibility to maintain a reasonable quality of water in these areas.
- 3.12 It was noted that this seemed to be particular problem for English rivers and questioned whether this was as a result of cuts in funding to the EA from central Government. It was explained that the EA did not spend a lot of its own resource on delivering the input that brought environmental improvements. Its role was to set the standards and form a process for improvement, that other bodies then fund and delivered.
- 3.13 This was also the reason that a lot of the EA's work appeared to be reactive, rather than proactive planning. Whilst the EA did a lot of enforcement after the fact, other organisations would be doing regular, active monitoring and ongoing engagement.
- 3.14 A member informed the Committee that there had been evidence in their local area (through testing outlets on the river) that residents often had their home appliances plumbed into the wrong outlets, resulting in polluted water entering the rivers directly from homes. It was advised this was known as 'misconnections' and unfortunately was a well-known incident, particularly within new housing developments and secondary improvements to existing houses. Where the separation of sewers had actually been achieved, this resulted in contamination of surface water. There was an ongoing joint programme of work with Seven Trent to try and resolve these incidents.
- 3.15 In challenging this response, a member commented they were aware that this did not only happen through building sites making a mistake, but also the water authority themselves combining sewers further down the network. It was advised that it was a very complicated network and was not always easy to understand exactly where sewers were becoming contaminated.
- 3.16 The Committee noted that 40% of pollution to our rivers was caused by agriculture and there was a significant example of this in the summer of a chicken farm run off into the Wye. The enforcement powers for these incidents already existed in the Water Resources Act and through environmental permitting regulations, what was changing however, was the more economic tools like the New Environmental Land Management ([ELM – https://www.gov.uk/government/publications/the-environmental-land-management-scheme-an-overview](https://www.gov.uk/government/publications/the-environmental-land-management-scheme-an-overview)) Scheme and DEFRA farming rules. Thankfully we were not seeing as many big pollution incidents however, it was more to do with the very high number of small events, which were a lot more difficult to address in the long term.
- 3.17 It was questioned whether the new Storm Overflows Taskforce had any plans to significantly change the infrastructure to enable the separation of the existing sewage network. It was advised that the quantity of combined

sewage in the UK was enormous so the task of separating these would not be their first move. It was likely that the Taskforce would look into other maintenance steps that could bring an improvement to the existing setup first.

- 3.18 The Committee were advised that in some cases, the discharge of untreated sewage into rivers was actually permitted under strict and extreme circumstances. A member was extremely concerned to learn however that in one area of Gloucestershire, there was a recorded 2,026 hours of untreated spillage (which added up to a quarter of a year) and queried how this could be described as an 'extreme' circumstance. It was advised that the EA would regard 25% of the time as extremely high and the Taskforce would be targeting this level of spillage as it indicated there was something wrong with the network in this area. Overall they would expect to see about 3%.
- 3.19 As GCC was the lead flood authority for Gloucestershire, it was questioned whether our officers should be commenting on planning applications to advise against combined sewers, for example. The EA advised that anything that could be achieved at the planning stage to encourage sustainable drainage would take the increasing level of surface water out of the system, which would have a positive impact in terms of flood risk.
- 3.20 GCC officers added that the Council were able to advise on planning applications and do so, but they could not stipulate things such as separate sewers. In addition, GCC worked closely with the water and sewage authorities to achieve this where it was possible. It was appreciated that closer work was required to ensure authorities were publicly sharing information on combined sewage pollution and identifying areas improvements were needed.
- 3.21 In concluding their discussion, the Committee noted that there were two separate courses of action open to them. The first was the suggestion of a GCC task group from the proposer of the motion, which had been supported by other members, including the lead Cabinet Member. The second, to explore the suggestion from the EA regarding applying for areas of designated bathing water (the link for which was provided in the report).
- 3.22 On procedural issues, the Committee acknowledged that the second possible action would need to be referred to the lead Cabinet Member for this area to pursue on their behalf. For the task group, members needed to be mindful of the up and coming Purdah restrictions which were due to begin on 22 March 2021. This meant that any task group work would not be able to continue post that meeting date until after the May 2021 elections, therefore the work would either need to be concluded by then or referred to the next council.
- 3.23 The Committee agreed for the creation of a task group to commence, and a one page strategy for its work be presented at the Committee meeting in March 2021 for discussion and approval. This would be led initially by the

proposer and seconder of the motion with the support of Democratic Services. If the one page strategy was approved in March, this would give a commitment for the next Committee to continue this work after the election.

ACTION: Democratic Services

4. RIVER SEVERN PARTNERSHIP

4.1 The Chair invited Hayley Deighton, West Midlands Sustainable Growth Manager & River Severn Partnership Programme Manager for the Environment Agency, to present this item. Members noted the following points:

- Slide 2 gave an overview of the Partnership and where it was headed. The Partnership was formed in September 2019 and was aimed at looking at the opportunities for the EA to take a proactive role in developing long term planning to protect, and enhance our environment, whilst also bringing together collective resources from across the geography.
- The environmental drive for this was the significant challenges that would continue to impact us such as climate change, water quality, Brexit and land management, but there were also economic and social drivers for creating this long-term, sustainable growth.
- The environment had to become the forefront of our future planning, but was also an important asset that needed active management for society and our future economy.
- The Partnership recognised many individual organisations were continuing to do good work, but that we can't, and shouldn't, be taking on these challenges alone.
- Slide 3 set out the needs, risks and opportunities that had already been identified. It was highlighted that the risks and financial impacts currently would only continue to increase if no action was taken.
- Doing nothing was no longer an option. The prediction on increasing river levels alone posed a real challenge for communities along the Severn, as well as the predications on reducing water availability and quality.
- There were however real opportunities to release significant benefits from spending and investing in the natural environment. Not only would it boost productivity but it would also reduce yearly revenue costs of dealing with increasing major incidents.
- The Partnership would seek to bring together water and environmental management, to put it at the forefront of our thinking and deliver wide reaching place based resilience, net environmental gain and benefits for our economy and society as a whole.
- Slide 7 summarised the many different organisations that had now joined the Partnership which included all local authorities along the catchment, LEPs, Welsh Partners, many environmental groups as well as wider reaching organisations such as Homes England etc.

- Slides 8-14 outlined and reinforced the current and predicted impacts of flooding, drought and climate change on Gloucestershire.
- Slide 15 detailed the work of the Partnership to date which included continued wider engagement on the risks of no action, the formation of a 46 MP Consortium to help connect its work into national Government, an early success of a £41m investment to accelerate 3 existing schemes (detailed under *Now* on slide 16) and the official identification of the Partnership as a national pilot.
- It had also brought in consultancy support to pull together and rank all projects from across the geography and partner organisations (around 200 individual projects). These would then be categorised into 1 of 4 demonstrator project groups:
 1. Looking at resilience and how we unlock potential – proactively build water management schemes that unlock further benefit and recycle benefit;
 2. Nature based solutions – nature recovery / natural flood management etc.;
 3. Reliance and adaptation – the acceptance that we will never completely eradicate risk – produce a centre for excellence living with water and adapting to it; or
 4. Place based issues – bring all risks/issues together into one programme.

4.2 As the officer responsible for flood risk management at GCC, James Blockley added that the Partnership enabled GCC to work closely with partners across the catchment to work with the water, where it came from, where it fell and where it ended up. Everyone appreciated that water did not respect county boundaries and working together meant we were not only managing a problem in one area, to just pushing it down the river to create a problem elsewhere. It was a very exciting project that GCC were completely behind and had contributed financially in the early stages of the Partnerships set up. Members were encouraged to liaise with officers on suitable schemes for the resilience fund mapping.

4.3 A member questioned whether the Sever Estuary Partnership had been involved. It was advised that there had been initial conversations but there needed to be further detailed discussions. The Partnership had naturally evolved over the past year, and had suddenly taken on many different partners which was a massive strength. Work now needed to be done to formalise these arrangements, set up a government structure etc.

5. WORK PLAN

The Committee discussed the following points in relation to its ongoing work plan for the remaining two meetings of this Council:

- The end of a Council term provided a good opportunity to look back at promises made and whether actions had been taken. An item on the Electric

Minutes subject to their acceptance as a correct record at the next meeting

Vehicle Infrastructure strategy was requested for the Committee's meeting in January.

- For March, the Committee requested a report on the issue of flood water impacting the highways and rail developments in the county.
- There was a discussion about the climate impact assessments of Cabinet decisions. Cllr Moor (Cabinet Member for Environment and Planning) advised the Committee he was due to present the annual climate change report to Cabinet on 16 December 2020.
- The majority of the Committee therefore agreed to review this report, and the outcomes of the December Cabinet meeting, before requesting any updates on the impact assessment work, amongst other things.
- A member stressed the importance of this Committee looking into the issue, ascertaining what action had already been taken and what was planned for the future.

CHAIR

Meeting concluded at 13:00.