

MINUTES of a MEETING of the ENVIRONMENT POLICY DEVELOPMENT GROUP
held on 23 January 2024 at 5.30 pm

**Present
Councillors**

B Fish (Vice Chairman), C Adcock,
M D Binks, G Czapiewski, B Holdman,
J Poynton and S Robinson

**Apologies
Councillor(s)**

C Harrower

**Also Present
Councillor(s)**

J Wright, D Broom, J Buczkowski, S J Clist, M Jenkins and
D Wulff

**Also Present
Officer(s):**

Matthew Page (Corporate Manager for People, Governance and Waste), Paul Deal (Corporate Manager for Finance, Property and Climate Change), Jason Ball (Climate and Sustainability Specialist), Luke Howard (Environment and Enforcement Manager), Laura Woon (Democratic Services Manager) and David Parker (Democratic Services & Policy Research Officer)

**Councillors
Online**

M Fletcher and G Westcott
E Buczkowski, A Glover, S Keable, J Lock and L Taylor

Officers Online

45 APOLOGIES AND SUBSTITUTE MEMBERS (0:03:42)

Cllr C Harrower sent her apologies, she was substituted by Cllr M Binks.

46 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0:04:10)

Members were reminded of the need to make declarations of interest where appropriate. There were no interests declared under this item.

47 PUBLIC QUESTION TIME (0:04:27)

The following member of the public asked questions:

Paul Elstone A Local Resident and Council Taxpayer .

My questions relate to Agenda Item 10 Renewable Energy in Mid Devon.

Question 1.

The briefing paper says there are 10 Anaerobic Digesters in Mid Devon.
What are their names and exact locations?

Question 2.

The paper also says these Anaerobic Digesters have an installed capacity of 5.3 megawatts.
What is the power generating capacity for each Anaerobic Digester?

Question 3

Is this the approved power generation output, or does it include spare capacity in the event of breakdown?

Question 4

How many solar farms are there in Mid Devon?

Question 5

Where are they exactly located?

Question 6

What acreage does each solar farm cover and what is their individual generating capacity?

Question 7

How many solar farms have planning approval and are still to be constructed and commissioned?

Question 8

Where are they?

Question 9

What is their power output?.

Question 10

Are Committee Members aware that:

Maize is the major feedstock for Anaerobic Digesters in Mid Devon

That annually an acre of solar panels can produce more electrical energy than 17 acres of Maize.

That a British Soil Association Report says that 75% of the land where maize is grown is badly or severely degraded and causing excessive water run off resulting in erosion ?

Question 11.

Are Committee Members aware that an Anaerobic Digester in Mid Devon.

Obtains feedstock and disposes of digestate from as far afield as Bow, Wellington, Wimple and Stoke Canon, a round trip distance of up to 46 miles.

Using weighbridge ticket information, it is believed the agricultural tractor mileage for this Anaerobic Digester can be estimated at 75,000 miles per annum or 3 times round the equator?

Question 12

Are Committee Members aware that it is believed that these same tractors are emitting as much as 600,000 Kilograms of Carbon annually? This not including other pollutants.

Hence the requirement for planning condition enforcement.

A general response to questions 1 to 9:

The source of data on renewable energy installations was government statistics published online by the [Department for Energy Security and Net Zero](#) - this material is freely available and links are contained within the report but it does not provide locations and details of individual installations. The Council is not responsible for keeping details of all privately owned operations and their power agreements / arrangements, and might not keep records of local energy installations, except perhaps in relation to larger scale installations where certain permissions are required. However, the Council does not hold all of this information as one data set and it is therefore not possible to address the questions raised.

Response provided by the Climate and Sustainability Specialist.

As questions 10 -12 were not submitted before the meeting, the Chairman indicated that a written response would be provided.

This is the written response to questions 10 – 12.

The Committee thanks the questioner for making this point.

Response provided by the Chief Executive.

48 MINUTES OF THE PREVIOUS MEETING (0:08:51)

The minutes of the previous meeting, held on Tuesday 7 November 2023, were approved as a correct record and set aside for **SIGNING** by the Chairman.

49 CHAIRMAN'S ANNOUNCEMENTS (0:09:31)

The Chairman had no announcements to make.

50 CABINET MEMBER FOR ENVIRONMENT AND CLIMATE CHANGE UPDATE (0:09:37)

The Group had before it, and **NOTED**, a report* from the Climate and Sustainability Specialist.

The report highlighted green and healthier homes, parks and transport. Consideration was given to:

- The Council had received awards for the Z-Pod project – opening six Net Zero energy homes for tenants at Cullompton with more being installed at Tiverton and more on the horizon.

- Greener Taxis – consultation with taxi operators as to how we could support a cleaner and more efficient taxi sector in the District.
- More electric vans had joined the Mid Devon District Council fleet.
- The Council had switched over to green electricity at all of their sites.

The group had before it and **NOTED** the Cabinet’s Biodiversity Duty report*. Crucially this statutory obligation linked into but was NOT the same as Biodiversity Net Gain (being implemented Feb onwards), it was a pre-existing duty for local government to act. So Mid Devon District Council would produce an Action Plan. The Cabinet was asking PDGs to contribute ideas and feedback on how the whole Council could deliver on its Biodiversity Duty by the PDG’s next meeting in March.

Consideration was given to:

- Potential new actions outside statutory Planning Policy / Local Planning Authority (LPA) duties and powers that could contribute to the general biodiversity duty.
- Potential new actions within statutory Planning Policy processes and powers that could contribute to the general biodiversity duty.
- Could the Environment PDG consider what was realistic? – Did they want a new policy or to shape existing policy?
- The timetable for the policy to be placed before all PDG’s for their input before it went to Cabinet in April 2024 to enable a plan to be finalised.
- Whether the Council could influence land management apart from on their own estate? – There were no funds or grants that could be applied to go to other landowners, the Council could try to influence in other ways but these would not be using regulatory powers.
- The Towns and Parishes should have something to offer with their resources and opportunities. There should be a positive action plan in relation to policy with Community Engagement including the “Sustainable” groups such as “Friends of the Exe”.

Note: *reports previously circulated.

51 **MDDC DRAFT MTFP 2024 - 2029 - SECOND REVIEW (0:24:09)**

The Corporate Manager for Finance, Property and Climate Change gave a verbal update regarding the draft Medium Term Financial Plan (MTFP) 2024 – 2029 which summarised the reports that went to the Cabinet both in December and January.

The following was highlighted:

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- Savings had been reviewed and refined and an increase in savings of £307,000 had been identified bringing the total up to £1,644,000
- Savings had been made on Red/Amber/Green (RAG) status – Red £53,000, Amber £718,000 and Green £873,000.
- Savings on staff would only be made if a post became vacant. – There would be no staff redundancies.

- Since the December report the Finance team had undertaken a further review of service areas which established further savings of £41,000 to take the total savings to £1,685,000 out of the original £2,103,000 that the Council started with, leaving £418,000 of savings to be found.
- In December the Local Government Finances Settlement was announced and £85,000 more grant funding was made available and the increase to Council Tax was allowed at 3% and not 2%, with the implications of the uplifted Business Rates multiplier added that now enabled the Corporate Manager to announce that we had a balanced budget.
- Those managing the budget were now only looking at what savings may be made in readiness for the 2025/26 budget, and the officer encouraged members to highlight savings options for development over the summer.

52 ENVIRONMENT AND ENFORCEMENT POLICY UPDATE (0:27:52)

The Group had before it, a report* from the Environment and Enforcement Manager.

The Cabinet Member for Environment and Services explained that this paper outlined the key environment enforcement policies that underpin key activities related to fly tipping, abandoned vehicles, dog fouling, littering, etc. There were no significant changes. The largest change was in the fly tipping policy which included an increase in the maximum fixed penalty to £1,000 with delegated authority being granted to the Environment and Enforcement Manager with regard to the issuing of those fixed penalty notices, and inclusion of greater detail with regard to the household duty of care.

Discussion took place with regard to:

- The “separation guidance” for recycling boxes, there was a debate around better explanation on the website regarding what to do with batteries or small electrical goods.
- The number of people against whom there had been enforcement action taken for litter dropping. The PDG were reminded by the Corporate Manager for People, Governance and Waste that Enforcement statistics are taken to the PDG on a quarterly basis.
- Whether litter dropping had increased since the three weekly bin collection policy had been introduced.
- Advertising to the voluntary litter collection groups that litter pickers and Hi-Viz vests were available for loan.
- Reporting those who drop litter and those who drop litter from vehicles.
- 7 year review of the fly tipping policy.
- The Bin-it 123 and Environment Policies had been successful and seen an increase in recycling rates and a reduction in the Council’s carbon footprint.
- A press release regarding three weekly collections that would state that the District would be expected to be fully compliant by 26 February 2024.
- Recycling Advisors were available to offer advice on how waste and recycling would be collected (and how it should be left out for collection).
- That too much waste that could be recycled was going into black bins and black bags. There would be a video to help illustrate this point.
- People across the district needed to understand that fly tipping and litter dropping were not acceptable hence the importance of these environment education policies.

- There were two employed Street Cleansers in Tiverton, one in Cullompton and one on Crediton High Street.
- “Make a Difference Days” where employers offer their employees days off to do voluntary work. Those voluntary groups complimented what Mid Devon District Council were able to do by working with “Clean Devon Partnership”.
- The Environment and Enforcement Manager was looking into a scheme to enable the Council to collect larger items and was seeking funding for this.

RECOMMENDED to the Cabinet that

- (a) **That Litter Policy be implemented to reflect Defra guidance on Proportionate, Effective, Targeted, Transparent and Consistent approach to littering offences,**
- (b) **To amend the Fixed Penalty Notice (FPN) for littering to include a 50% discount for a period of 14 days from the date of the offence**
- (c) **To review and approve wording simplification:**
 - 1. **Stray Dog Policy**
 - 2. **Littering from Vehicles**
 - 3. **Compulsory Recycling**
 - 4. **Fly Tipping minor wording amendment regarding FPN value.**
- (d) **To approve Abandoned Vehicle policy wording changes.**

Proposed by the Chairman

Note: *report previously circulated.

53 **GREEN STANDARDS IN PLANNING INCLUDING RENEWABLE AND ALTERNATIVE ENERGY, ENERGY EFFICIENCY AND COMMUNITY ENERGY PROJECTS AND RENEWABLE ENERGY IN MID DEVON (0:50:33)**

The Group agreed to deal with agenda items 9 and 10 together.

The Group had before it, and **NOTED**, two updates* from the Climate and Sustainability Specialist.

The briefing paper tackled the subject of climate change as a material consideration in the planning process. The paper highlighted what Mid Devon was doing as a local authority covering a range of areas, energy efficiency standards, embodied carbon as a consideration and a list of what other authorities were doing.

Discussion took place with regard to:

- Local Authorities were not given the freedom to shape their policies to go beyond national standards (some exceptions are allowed when properly evidenced etc). Planning Officers would apply whatever legislation and Policy Guidance was in place at the time of the application.
- The Forward Planning Team asked that all Councillors engaged with the new Forward Plan and with the Planning Policy Advisory Group (PPAG) and Plan Mid Devon, to help shape policy.
- A new Written Ministerial Statement discouraged Local Planning Authorities from raising energy standards for new homes without strong evidence.

- If the Local Authority raised local building standards it could have an impact on Embodied Carbon (the impacts of materials, construction methods, transport etc.). An issue perhaps too complex an issue for Mid Devon to manage.
- The impact that increasing the cost of housing had on the number of houses that could be provided for communities.
- If Mid Devon tightened up on standards then they could put a lag into the economy. We probably needed these issues to be dealt with at a national level where it would drive the economy and await information from the research institutions.
- The latest written guidance from Central Government needed to be clarified as it would seem that local authorities cannot raise their own energy efficiency standards from new housing without doing a very difficult and time expensive calculation which may or may not prove the viability of what was being suggested.
- If so, could Mid Devon raise criteria for Embodied Carbon? Was there any scope that in the initial sustainability assessment of development applications, could we not validate planning applications which did not conform to certain sustainability criteria?
- Should the Council consider having two approaches; 1. Current guidance 2. Policies that the Council would really like to see if the National Planning Policy Framework was relaxed, so that they could be put into the local plan? This was an interesting challenge to put to forward planners – how could we do this?
- Exeter City Council is pulling it into their own planning policy a “just in case policy” anticipating future standards coming into place.
- Embodied Carbon – as there were no restrictions, there should be room to include this in the Council’s plan although it would need to be strongly evidenced.
- The Council had published [free resources](#) to help builders and developers identify affordable ways to achieve low carbon / Net Zero new build and retrofit. ([Net Zero Carbon Toolkit](#); [Net Zero Housing Assessment Tool](#).)
- PPAG, 15 years ago, tried to agree whether new build residences should have solar voltaic cells and heat pumps, the Council was told at that time that it was not possible to have its own separate non-national guidelines. Also it related to building control and not planning. Mid Devon is different to other authorities where the Council is such a large rural authority. The district doesn’t have the infrastructure to charge electric vehicles (ev’s). The district is a special case and should be allowed to improve their energy systems.
- Insulation, heat recovery, heat pumps.
- Could the Council get an assessment of what it was likely to cost to build in those higher standards because it would be much cheaper to build them in at the building stage than it would be to retrofit at a later stage. It would assist in demonstrating the through-life cost to the occupiers of these houses.
- Encouraging developers to adopt “Green Policies”.
- Promoting the “Z Pods” – the design and technology was fantastic.
- The Future Homes and Buildings Standards: 2023 consultation - GOV.UK consultation was live. Central Government were consulting on future homes standards and future building standards, the Council could engage with that consultation.

- Retrofitting was a massive task even set against just new homes. However, there was also massive skills and investment potential. There were millions of homes in Mid Devon that would need retrofitting.
- The Climate and Sustainability Officer was asked to respond to the Government Consultation on “Future Homes”. Would it be possible for him to ask if the standards could be improved and the statement made that the Council would like to see more ambitious options so that our legal targets of meeting Net Zero by 2050 nationally could be met or moved towards.

Regarding Energy statistics

- A mixed story on Renewable Energy and Community Energy - big growth in solar; others e.g. wind power at a standstill.
- Would it be possible to calculate the current district requirement for energy and project a mix to enable the district to be self-sufficient in 2030?
- The Climate and Sustainability Officer had been joining a Devon local area energy planning group regarding future energy scenarios, they were trying to generate some investible projects with achieving net-zero in mind.
- Hydro Energy was a small element but it was always there. The Council had looked at this in the past but as solar power was a lower risk the Council had prioritised that. If there was a view that at community scale that Hydro Energy was something worth-while and could attract some kind of Community Partnership investment in that technology then it could be done in various ways, (it was a very complex area), but at a lower scale then the Climate and Sustainability Officer could look at that. An energy consultant had told him that hydro-electric was the most risky of all the renewable energy options not least, in the damage that it may do to the river system.
- What would be Mid Devon area’s energy needs? If the Council had a good estimate of that then they could plan energy supply over the next ten years. The Climate and Sustainability Officer was asked to request the data.
- Devon Climate Emergency were already tracking demand.
- What was the prospect for Wind Energy, it needed a change in the National Planning Policy Guidelines, public perception had already changed.
- A Local Energy Plan was about the whole mix of energy production.
- National Grid – could the Council put any pressure on them to increase the number of connections for power suppliers? – That was unlikely but the Council could keep National Grid informed.

Note: (1) *updates previously circulated.

(2) Cllr M. Binks left the meeting at 6.40pm

54 **RENEWABLE ENERGY IN MID DEVON**

This item was dealt with, within the item before.

55 **WORK PROGRAMME* (1:37:17)**

The group had before it and **NOTED** the Work Programme.

Bio Diversity Duty update has been added to the meeting in March 2024.

The Chairman called for items which could be considered at future meetings.

Note: * Work Programme previously circulated

(The meeting ended at 7.08 pm)

CHAIRMAN