

SCRUTINY ADVISORY BOARD - COMMUNITIES AND PLACE

Minutes of a Meeting of the Scrutiny Advisory Board - Communities and Place held on Thursday, 15 September 2022 at 10.00 am at County Offices Kendal

PRESENT:

Mr SB Collins (Chair)

Mr R Dobson

Mr D English

Mr KR Hamilton

Mr J Lister (Vice-Chair)

Mr W McEwan

Mr CP Turner

Mr D Wilson

Also in Attendance:-

- | | | |
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| Mr J Beard | - | Chief Fire Officer |
| Mr A Harty | - | Assistant Director - Environment and Enterprise |
| Ms C Tringham | - | Senior Manager - Environment and Regulatory Services |
| Ms C Notman | - | Strategic Policy and Scrutiny Advisor |

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr F Cassidy, Mr D Gawne and Mr T Markley

12 MEMBERSHIP

There were no changes in membership at the meeting.

13 DISCLOSURES OF INTEREST

There were no disclosures of interest made at the meeting.

14 EXCLUSION OF PRESS AND PUBLIC

There were no items on the Agenda that required the exclusion of press and public

15 MINUTES

RESOLVED, that the minutes of the meeting held on 10 June 2022 be agreed as a correct record

16 FUTURE OF FIRE SERVICE GOVERNANCE

A report was considered from the Chief Fire Officer on the future of Fire Service Governance. The report outlined the current position and future direction of travel of governance.

The Chief Fire Officer talked members through the process of Local Government Reorganisation in Cumbria. He detailed the future governance of Cumbria Fire and Rescue Service (CFRS) as it had not been included in the Structural Change Order. The actions of the Police and Crime Commissioner were outlined. This included the drafting of a Business Case to take over the governance of CFRS which had been subsequently approved in August 2022 by the Home Secretary.

Members were informed of the arrangements for CFRS under the Police and Crime Commissioner (PCC) and advised that the legislation to deal with the change was different to that for Local Government Reorganisation (LGR). Officers were currently working on disaggregation of the CFRS from Cumbria County Council, aligning it with the PCC Business Case.

A member queried if the Chief Fire Officer was content with how the work relating to the Resilience Unit was progressing and how it would work after Vesting Day. The Chief Fire Officer advised that the decisions relating to the Resilience Unit were safe and pragmatic and added that retaining the Cumbrian footprint was the best option.

The same member asked if the Chief Fire Officer was satisfied with the plans for CFRS. The Chief Fire Officer explained that he was, as long as CFRS received high quality scrutiny of its governance. He talked about other Fire Services which had followed the same reorganisation route, the discussions that had been undertaken with the Unions and the engagement and communications that had taken place with staff.

The current Chairman of the Police and Crime Panel asked how the Panel would work in future. The Chief Fire Officer explained how CFRS would be scrutinised by an expanded Police and Crime Panel using the current structure of the Panel.

A member asked if measures were underway in planning for the change which would require a Risk Management Plan and what was being done to mitigate risk. The Chief Fire Officer reported that all risks had been identified using the same guidelines as those used for the Local Government Reorganisation process and explained his role on the Programme Board.

After referring to the programme of work for day one requirements, a member highlighted his concerns about staff. He asked about how part time workers and those doing part time support work for both the CFRS and County Council would be handled and if staff would be relocated. The Chief Fire Officer explained the work undertaken on the number of posts needed, highlighting the complexity of some cases. Decisions around people would be undertaken next and it was noted that in terms of relocating staff, there would be an emphasis on minimising impact on staff.

A member commented on the importance of an organisational structure chart which identified posts. The Chief Fire Officer undertook to share this with Scrutiny Members and talked about the importance of a fair and robust process during the people management part of the programme of work.

The ownership of data in future and who would be responsible for its management was raised by a member. The Chief Fire Officer explained how ICT was the most complex part of the process, adding that ICT would not be disaggregated by Vesting Day as it was too complex. Officers were working on ensuring that ICT was safe and legal on day one with an aim to disaggregate over 2-3 years. Ownership of data would be clear on Vesting Day, 1 April 2023 with the Police and Crime Commissioner taking responsibility for data.

Continuing this theme, a member asked what efforts were being made to capture and retain corporate memory and what links there would be between the two new Unitary Authorities to share information. The Chief Fire Officer commented on the work ensuring that there was a strong relationship from day one, adding that there would be challenges around corporate memory which was a risk. He set out his ambitions to secure key people in key roles and retain a strong relationship between the unitary authorities, both of which would have access to the corporate memory.

The Chair thanked the Chief Fire Officer for attending the meeting and invited him to give a further update at the next meeting.

RESOLVED, that the position be noted.

17 NATURE RECOVERY AND THE COUNTY COUNCIL'S ROLE

A detailed presentation on Nature Recovery and Natural Capital was given by the Senior Manager - Environment and Regulatory Services. An introduction to the presentation was given by the Assistant Director - Environment and Enterprise.

The presentation covered the following:

- Nature Recovery Natural Cap
- Nature Recovery Projects
- Local Nature Recovery Strategy
- Planting for pollinators
- Local Authority Treescapes Fund
- Cumbria Coastal Community Forest
- Trees for Climate Fund and the Governance
- Delivery
- Ambition
- Cumbria County Council's Environment Fund
- Biodiversity Net Gain
- Nutrient Neutrality
- Natural Capital
- Borderlands – Natural Capital
- Cumbria Innovative Flood Resilience (CIFR)
- Community Preparedness and Resilience

- CIFR Project Principles
- Natural Flood Management at Scale
- Farming and Community Officers
- Benefits for Cumbria – nature, people and climate

The Assistant Director - Environment and Enterprise outlined what Nature Recovery and Natural Capital was and highlighted the great deal of work being undertaken by the County Council's Environment and Infrastructure directorate in these areas. He noted the rare flora and fauna in Cumbria and added that he had been particularly struck by the statistics contained within the presentation.

Members asked their questions throughout the presentation.

A member referred to the restoration and management of peatlands, highlighting that people were planting trees in areas of peat soil. He was interested to know if there was a strategy on this matter. The Senior Manager - Environment and Regulatory Services commented that officers were ensuring that excessive overplanting of trees (greenwashing) was avoided and there should be a focus on the planting of diverse plants. This was being managed through the Local Nature Recovery Strategy maps.

Members were offered a demonstration of the Cumbria Local Nature Recovery Habitat Basemap and a visit to one of the Planting for Pollinators projects.

With regard to Planting for Pollinators, a member asked if the funding available for habitat creation and restoration was to purchase land. The Senior Manager - Environment and Regulatory Services reported that funding would be used for working with organisations and that private landowners were volunteering land. She drew member's attention to the site locations and invited members to suggest potential locations. A number of Members commented positively on the Planting for Pollinators project, with one member asking about the plans for maintaining the sites following the establishment of 2 unitary authorities. The Senior Manager - Environment and Regulatory Services reported on the work being undertaken on protecting the sites for the future which would be passed onto the Unitary Authorities who it was anticipated would have the same aspirations for the project.

A member talked about the importance of wildlife corridors to the residents in his electoral division, hoping these would not be cut down. He highlighted that some natural areas were threatened by developments and asked that consideration was given to the natural environment when processing planning applications. The Senior Manager - Environment and Regulatory Services advised that changes to planning law and the introduction of the biodiversity net gain in the Environment Act 2021 to ensure that these decisions were made at a local level.

Discussion ensued on the £229k funding from the Forestry Commission for the planting of 71 trees. A member raised that private landowners planted their own trees and would not welcome the direction of the County Council on where to plant them. Both officers explained this was not the case and officers would work alongside landowners to encourage planting to increase biodiversity.

The Assistant Director - Environment and Enterprise referred to the direction of travel of national policy which was to encourage decision making at a local level.

A member raised his concerns about the planting of trees along the highway in Barrow in Furness and the problem of root damage to pavements and roads. He considered that planning conditions for housing developments should specify that tree pits were used when trees were planted. He commented on the costs to local authorities to repair the damage caused by tree roots adding that tree pits would protect future budgets being spent on remedial works. The Assistant Director - Environment and Enterprise undertook to liaise with the Manager of Flood and Development Management to ascertain what could be done on this matter in relation to new housing developments. The Chair highlighted his concerns of tree roots damaging drains and leaves blocking gullies which subsequently caused flooding.

After the Senior Manager - Environment and Regulatory Services briefed members on the partners that the County Council was working with on the Trees for Climate Fund, a member asked for details relating to any projects based in Millom. The Senior Manager - Environment and Regulatory Services undertook to contact Mr Wilson on the matter outside of the meeting. She outlined that terms and conditions were attached to projects to ensure that trees were located in areas of public access.

With regard to the Cumbria Coastal Community Forest Partnership Board, a member noted that the Headquarters was based in Carlisle but he hoped to work with children and schools in Barrow so they could take ownership of projects and enjoy nature as there were no forests in Barrow.

With regard to Nutrient Neutrality, a member asked if the two National Park Authorities in the County had been made aware of the Nutrient Neutrality Regulations and what were their arrangements. The Senior Manager - Environment and Regulatory Services advised that there may be an opportunity to work together in future but the pooling of funding was currently at County and District Council level. A member talked about the impact of digesters which were increasing in popularity and how they weren't nutrient neutral. The Senior Manager - Environment and Regulatory Services undertook to raise this with DEFRA. Another member thought that it would be difficult to balance the needs of the population against the demands of the environment lobby.

A member asked if asbestos had been mentioned in the regulations. The Assistant Director - Environment and Enterprise explained how this was covered under specific legislation.

A short discussion took place on the discharge of sewage into rivers. The Assistant Director - Environment and Enterprise acknowledged the importance of this, adding that the Environment Agency were under pressure on this issue and Government legislation may be introduced to address the matter.

The Chair encouraged members to contact the Senior Manager - Environment and Regulatory Services if they wanted further details of any matters raised in the presentation.

Reference was made to the £5m Borderlands funding from the government, Mr Hamilton asked if the Barrow area would be recompensed from the Borderlands fund for the money it had already invested in a community orchard. The Senior Manager - Environment and Regulatory Services undertook to contact Mr Hamilton outside of the meeting with a response. A short discussion took place on the importance of using heritage varieties of apples to maintain diversity.

The Chair informed the Board of his involvement in and the work being undertaken by the Staveley community group in relation to their preparedness and resilience to flooding. A member considered that some flooding events were due to poor management, lack of infrastructure, lack of maintenance and improvements and allowing houses to be built on flood plains rather than climate change. The Assistant Director - Environment and Enterprise added that flood events needed to be resolved through a broad range of integrated measures. A member welcomed the informative reports of the Flood Team to Local Committee Highways Working Groups.

Members thanked the Senior Manager - Environment and Regulatory Services and Assistant Director - Environment and Enterprise on the work of their teams and commended the Senior Manager - Environment and Regulatory Services on her detailed and comprehensive presentation as members had learned a lot.

RESOLVED, that the position be noted.

18 BOARD BRIEFING

A report from the Strategic Policy and Scrutiny Advisor was considered. This provided members with the Board's Work Programme and the County Council's Forward Plan of Key Decisions.

Members were reminded that the Board needed to have a full Work Programme until the end of the Board's existence in March 2023.

The Chair asked for a report on Electrical Waste at the Board's meeting on 30 November 2022 which detailed the methods of material recovery and how costs were recovered.

A member asked the Chief Fire Officer what plans Cumbria Fire and Rescue Service had for dealing with electric car fires. The Chief Fire Officer reported on a national project on new products to deal with the extinguishment of electric car fires. The member asked for an update on this matter when available.

A short discussion took place on the handover of successful Scrutiny work from the County Council to the new Unitary Authorities. A member advised that the Scrutiny Management Board would be collating this work for handover. The Chair asked members to advise him or the Strategic Policy and Scrutiny Advisor of any scrutiny

work that they thought would inform the future work of the Unitary Authorities and this could be forwarded on.

Members reviewed the Forward Plan of Key Decisions. The Chair welcomed that the new Windermere Ferry would be electric.

RESOLVED, that the report be noted.

19 DATE OF NEXT MEETING

The next meeting of the Board will be held on 30 November 2022 at 10.00am at Cumbria House, Botchergate, Carlisle.

The meeting ended at 11.45 am