

# CONSULTATIVE MEETING OF MEMBERS OF THE CLIMATE EMERGENCY ADVISORY COMMITTEE

WEDNESDAY, 5TH JULY, 2023

**PRESENT:** Councillor K Dye in the Chair

Councillors B Anderson, J Bowden,  
P Carlill, E Carlisle, M Foster, A Hannan,  
N Harrington, A McCluskey, M Millar,  
O Newton, M Shahzad, E Thomson and  
J Tudor

## 1 **Apologies for Absence**

Apologies for absence were received from Councillors Downes and Rafique. Councillor Millar attended as substitute for Councillor Rafique.

## 2 **Declarations of Interest**

No declarations of interest were made.

## 3 **Notes of the Previous Meeting**

**RECOMMENDED** – To agree the notes of the previous consultative meeting held 23<sup>rd</sup> January 2023 as a correct record.

## 4 **Open Forum**

**Incredible Edible** – Dan Robinson provided the Committee with an overview of the work of Incredible Edible (IE), a food growing project which aims to connect communities through food. IE had established a number of groups in Leeds over the past 15 years. IE had recently received National Lottery funding to support the Leeds groups and secured Community Interest Company (CIC) status 12 months ago.

Planters of different shapes and sizes are used, some include public art and some re-use materials such as railway sleepers or old pallets. The best locations for planters are areas of high footfall but also close to homes where residents will adopt and maintain the planter. IE works with schools, care homes and businesses and has established a partnership with Northern Rail where some stations are home to edible planters.

Discussions with Members focussed on the following matters:

**Barriers to establishing a group** - Anti-social behaviour and vandalism does occur, but the ethos of IE is that people should take the food – you may only need a handful of herbs or tomatoes and not a pack from the supermarket, and, if someone learns something about the food they have ‘stolen’ then IE has connected with them in some way.

**Locations** - IE are mapping public land available in the city and worked with Council departments to identify locations. In response to a query about the use of highway verges, the Chief Highways and Transportation Officer

outlined that people seeking to plant on highways would usually require a license and he had contacted colleagues in other Local Authorities to review their approach.

Local Parish Councils – IE was encouraged to contact Parish Councils in the outer areas of the city to start discussions with them on establishing planters.

Finance - IE was reviewing what long term funding would look like and how it could support the community leaders element of the project.

The Committee noted the contents of the presentation and agreed that the presentation slides and contact details be provided to Members and the Executive Manager, Flood Risk & Climate Resilience, to support future discussions. Members also noted that this issue had previously been discussed by the Food & Biodiversity Working Group and would be progressed through the Food Strategy and linked to the “Right to Grow” work.

Open Forum Updates – CEAC received an update on previous topics raised under the Open Forum item and it was agreed that Departmental responses to Open Forum representations would be shared with Members.

## **5 Working Groups Update**

Members noted the following:

- No Working Groups had met since the last CEAC meeting
- Issues with emailing WG invitations to all Members of Council were being worked through, and as a result, the proposed 11/07/23 Economy & Finance WG may be postponed to ensure all Members can receive the invitation.

## **6 Local Flood Risk Management Strategy - CEAC Update**

The Committee considered the report of the Executive Manager, Flood Risk and Climate Resilience, on the implementation of the Local Flood Risk Management Strategy. The report examined the implementation of the Strategy over the last 12 months and provided a summary of the measures proposed for the years ahead.

Jonathan Moxon, Executive Manager, Flood Risk & Climate Resilience, attended the meeting and highlighted the work of the Flood Risk Management (FRM) Team within the Highways and Transportation Service which manages flood risk through planning, Incident Management and also operates/builds assets and manages risks and works with the Climate, Energy and Green Spaces Team on climate and adaption.

The Committee received a presentation highlighting works undertaken in the previous 12 months, measures proposed and issues to consider:

Weather - Through images of flooding, the Committee heard that climate change increased the likelihood of more frequent and more significant flooding. Globally, more unpredictable weather has been experienced with warmer, drier summers and wetter winters. The team collects and tracks data on rainfall incidents and events to inform planning, rainfall is tracked by catchment areas and the team focuses on those incidents which adversely

affect blue light incident highway routes, and internal/or external property flooding.

Planning Process – The FRM team is a statutory consultee on planning applications and process on average 150 planning applications a month. Works such as the review of Sheepscar Beck assets where the walls are in private ownership, are managed through planning applications as they are submitted. It is expected that Schedule 3 of the Flood and Water Management Act, relating to Sustainable Urban Drainage (SUDS) will be enacted in 2024 which will require input from the team. This will have an impact on the local authority and resource planning and discussions with colleagues in other Yorkshire Local Authorities had begun to consider how to implement the changes collectively.

SUDS Approving Body (SAB) – Schedule 3 will bring a new assurance process alongside the planning process which will require developers to obtain both planning approval and a SAB approval. The FRM team will have a statutory consultee role along with other water, sewerage companies and the Environment Agency. SAB requirements will affect developments of more than 1 property/100 sqm and will amend Section 106 of the Water Industry Act 1991 which manages how new development connections are made to existing sewers/drainage systems.

Flood Alleviation Scheme Capital Programme – In respect of FAS Phase1 in the city centre, downstream of the station, this scheme was now operational with duty teams on call 24/7. The area is now managed through the weirs and prevents flooding in the city centre. New technology which is used to monitor /predict flow and collect data is being considered to replace existing which can be damaged by the water and rubbish.

FAS Phase 2 is being delivered and managed along the Aire by the FRM team through powers delegated by the Environment Agency and will protect the city against a flood on the scale of the 2015 incident, but climate change will add to that risk. The scheme runs to the west of the city from the railway station to Bradford. The team has also completed the Otley FAS and the Mickletown FAS, using funds entirely from developers. Other works in progress include Wortley Beck a review of the assets at Sheepscar Beck. The team was also reviewing natural flood management measures across the city including soil management and tree planting to manage risk of run-off.

Emissions – The FRM team compares the carbon emitted to undertake works against the carbon emitted to deal with the impact of a flood. The development of the Otley scheme produced half the emissions that dealing with a flood would cause.

Natural Flood Management – It is believed that the impact of climate change will bring 7.9% more rain to the city, so natural flood management measures such as tree planting and soil management need to be included in schemes to maximise the benefits to be gained from engineering works.

The following matters were discussed with the Committee:

*Development on areas of flood risk* - Technical approval would not be given to a scheme which proposed properties at flood risk themselves or that will increase flood risk to existing properties. Developers are not prevented from building on flood risk land, but they must include measures to mitigate risk.

*The Wharfe (East of the city)* - A modelling scheme for whole of the city on Wharfe was drafted, with Otley being the first scheme implemented. Consultation led by the Environment Agency was underway with local Wharfedale communities on options for work elsewhere on the Wharfe.

*Hydro-Electric Installations* – Installation of hydro-electric schemes was difficult, the original Knostrop scheme did include hydro-electric but was not implemented due to its negative impact on fish which could not be mitigated.

*Planning process* - The relationship between Planning Services/Development Management and the FRM team was effective with the necessary policies in place. In terms of capacity and skills, it was acknowledged that there were areas for development and all planning authorities were considering technology and net zero aspirations and the areas where there was challenge and conflict between policies.

*Meanwood Beck* – A study of Meanwood Beck is ongoing with modelling completed of the proposed works which would complement the Sheepscar works – an update to local ward Councillors will be provided shortly.

*Surface Water* – in response to a query whether surface water in the city centre was caused by the loss of grass/greenspace elsewhere, the Committee noted that OfWAT was considering the use of incentives such as discounted water bills for people who do not pave their gardens/driveways. The use of SUDS on new developments and retro-fitting SUDS to existing properties where they experience very localised flooding remained the team's focus.

*Council Services Preparations* – Adaption to climate change and improving the city's resilience are just as essential as addressing carbon emissions. Every service will be impacted by climate change and consideration must be given to support each part of the Council to assess its risk and plan operations accordingly.

The Committee thanked Jonathan for the presentation and discussions and **RECOMMENDED -**

- a) To note the implementation of the Strategy and that the comments provided will help inform its further development and be considered at the next strategy update due to take place in 2024.
- b) That the CEAC Working Groups consider the following in due course:
  - Infrastructure, Planning & Buildings - Surface water incentives
  - Communities & Business Engagement - Monitoring indicators and improving engagement.

## 7 Update on the Local Plan Update

The Committee considered the report of the Chief Planning Officer which provided an update on progress with the Leeds Local Plan Update ('Your Neighbourhood, Your City, Your Planet'), and an overview of responses received to the Publication draft consultation, actions underway in response and an update on next steps

Adam Harvatt, Group Manager, Policy and Plans, attended the meeting and in acknowledging that Members were keen for the Plan to be submitted to Government and adopted, highlighted that the issues and policies within the Plan required careful consideration prior to submission.

The following matters were highlighted:

### Consultation

- From October to December 2022, consultation on specific policies was undertaken using various approaches including drop-in sessions at libraries, shopping centres, presentations to Community Committees, and web based activity through video, webinars, Facebook and social media adverts. 170,000 people viewed the material with approximately 9000 views of the website.
- 550 representations were received from across all wards of the city – 400 smart surveys, 90 emails and 45 Young People surveys.
- Feedback on the methods of consultation showed 86% respondents responded positively.
- Overall there was strong public support for the contents of the Plan – every policy received over 80% support and nearer 90% support for the flood risk policies. Objections were also reported from some developers, the Environment Agency and Natural England.

**Specific Policies** – the Committee was directed to comments on each of the Policies, with highlights outlined below:

SP0 (zero) – This policy sets out the Council's zero carbon aspiration. Some negative responses were expressed that it was too prescriptive and repeated other policies.

EN1a & b – Developers will be required to consider zero carbon across the whole lifetime of a development. Some had expressed concerns over the level of burden placed on them and the capacity in the industry and supply chains to meet the net zero target. Officers had discussed this with developers and consideration would be given to how and if flexibility can be built in.

EN4 Renewable – A mix of views that this was too soon or didn't go far enough were received as well as the need to focus on small scale renewable projects and how to support them. Natural England raised the impact of wind turbines on bird migration and this will require further work as the Council does not hold that evidence.

Water Policies – The proposed policies build on existing measures to ensure safe access/egress for flooded site/homes, to incorporate an assessment of the risk of defences failing and what happens in that instance and to ensure SUDS and storage are used and feed into the SABs. “Water 8” also considered the use of permeable materials and soft landscaping when people reconfigure their gardens/drives. Work could be undertaken with the FRM Team to review guidance.

Green & Blue Infrastructure – The policies relating to green and blue infrastructure form a crucial part of mitigation for climate change and include a requirement for a Green and Blue Infrastructure assessment to support development. They also seek to increase the protection for trees and hedgerows, and to truly justify any removal works; to prevent the loss of carbon sequestration and to ensure the quality of greenspace and its maintenance requirements and increase standards in the city centre.

Food F1 – This policy directly linked to the Incredible Edible Open Forum item with support for food growing - planters do not require planning permission and the policy encourages growing fruit trees and ‘own food growth’.

Trees – Comments received on the proposed policies sought clarity on which trees would be affected, that the suggested buffers would be too onerous and challenged the use of the research undertaken by the University of Leeds as an evidence base – previously the ratio for replacement trees was 3 new for every 1 removed and the policy now proposed 30:1. It was believed the methodology was robust – the policy had been designed to encourage retention of trees but viability would be reviewed.

Place-Making – Place making has important links to climate change and the proposed policies embed the concept of ‘20 minute neighbourhoods’ as well as seeking to ensure high quality developments, to address windfall developments and the location of Drive-Thru amenities. Health Impact Assessments are also to be required for large developments and some concern had been expressed that these were too onerous on developers.

### **Next Steps**

- Comments and concerns will be considered, and where necessary policies will be revised in consultation with the council’s Development Plan Panel.
- Consultation on any revisions is planned for Autumn 2023. Subject to comments, it is anticipated that the Plan will be submitted in early 2024 for examination.
- Nationally, a small number of local authorities are progressing zero carbon policies but there is a risk – according to a written 2015 Ministerial Statement, Local Authorities should not set higher emission standards than those set out in the Building Regulations. Subsequently, Bath and Lincolnshire had their Plan proposals found to be sound by a Planning Inspector, however, another Planning Inspector advised Lancaster that it did not have the authority to set zero carbon targets, showing the divergence of opinion between

Planning Inspectors. Officers were encouraged to seek support from the Local Government Association and other bodies.

During discussions with Members the following matters were considered:

*Sourcing materials to meet net zero* – Developments have to be competitive but meet net zero targets – as soon as developers are required to meet that target, the industry will change to meet the need. Developers concerns that there will be a patchwork of different standards across different local authorities which may lead to supply chain issues were acknowledged. Additionally, the need to retain an overview of developments was noted.

*Inclusion of SP0 (Zero)* – One Member voiced support for including this Policy containing overall targets at the start of the Plan, acknowledging that there are some planning applications, such as Airports, which fall outside of the remit of the Local Authority - SP0 provides a good grounding where other policies may not apply.

*Trees* – There was support for the aim of no tree removal as a starting point for the policy. It was noted that the policy did provide for a commuted sum which could be used to support any tree planting works the Council undertook. A comment on other measures to achieve carbon zero, such as moss walls which absorb carbon well and are positive for emissions, was noted.

*Allotments on large developments* – In answer to a query, it was noted that in drafting the Plan, officers were keen not to limit food growing to allotments, as if you were not a member of an allotment you could not access the growing space, so the Plan supported a flexible approach to food growing.

*Wind Turbines* - A comment regarding the efficiency of wind turbines placed in a row was noted. It was reported that turbine standing positions had been calculated but work would be done to ensure they are not designed in an inefficient way.

*20 minute neighbourhoods* – The need for clear communications was emphasised so that residents understood the aim of the policy. The consultation on the separate “Leeds Plan 2040” had received a lot of comments on this issue based on a misunderstanding – the Council did not have the power or desire to prevent or monitor people moving between areas.

*Role of the WYCA Mayor* – It was noted the Mayor had responsibility and policies for the whole of West Yorkshire and Leeds could benefit from the Mayor’s involvement through the work of the WYCA climate change group and with her support in any discussions with Central Government.

*Marmot City Leeds* – It was noted that Leeds was not a Marmot City at the time the Policy review commenced, however officers worked closely with Public Health colleagues and would consider what could be included in the Plan to reflect the city’s new status.

*Embodied Carbon and the whole lifecycle assessment* – Comments in support of the policies, along with a report that at a recent event, developers were positive about embodied carbon and construction, were noted.

*Solar and wind energy on small developments* – There was some support for a review of the impact of the proposed policy and whether it would limit small developments. Comments reported from local colleges that the right skills could be developed in the city to support the industry were noted.

*Permeable surfaces* – In response to a query on whether the Council could do more to prevent paving over gardens and drives, it was noted that this issue cross-cut across a range of departments and regulatory regimes. The wider issue was that it was very difficult to monitor what people do with the garden spaces of approximately 400,000 homes in Leeds. The FRM Team had done a lot of communication/education on the need to secure planning permission for the use of non-permeable materials and the value of permeable surfaces for water run-off, and a joined up approach to communications was needed.

In conclusion, the Chair expressed support for the Plan and her desire not to dilute any of the measures contained in it. Turning to the consultation proposed on any revised policies, the Chair requested that CEAC revisit the Plan in the Autumn.

#### **RECOMMENDATION**

- a) To note the contents of the report and the discussions.
- b) To note the request for CEAC to receive a further report on the progress of the Plan, timed to coincide with further consultation proposed for Autumn 2023.

#### **8 Date and Time of the Next Meeting**

**RECOMMENDED** – To note the date and time of the next meeting as 18<sup>th</sup> September 2023 at 2.00 pm.